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Agenda item 129
**International residual mechanism for criminal tribunals**

# Election of judges of the International Residual Mechanism for Criminal Tribunals: curricula vitae of candidates nominated by States Members of the United Nations and by non-member States maintaining permanent observer missions at United Nations Headquarters

## Note by the Secretariat*

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# I. Introduction

The Secretariat respectfully submits to the General Assembly the curricula vitae of the candidates nominated by States Members of the United Nations and by non-member States maintaining permanent observer missions at United Nations Headquarters for the election of judges of the International Residual Mechanism for Criminal Tribunals. The names of the candidates nominated for the election and the voting procedures to be followed in the Assembly are set out in a memorandum by the Secretary-General (A/66/571/Rev.1).

# II. Curricula vitae

## I. PERSONAL DATA

**Name:** AGIUS
**Forename:** Carmel A.
**Date and place of birth:** 18th August, 1945 - **Malta**
**Nationality:** Maltese

## II. EDUCATION AND ACADEMIC AND OTHER QUALIFICATIONS

| | |
|---|---|
| 1969 | Doctor of Law (LL.D), University of Malta. |
| 1968 | Diploma, Notary Public, University of Malta. |
| 1964 | Bachelor of Arts (B.A.) in English, Italian and Economics, University of Malta |

## III. LANGUAGES

**A. Mother tongue:**
**Maltese** - Fluent in reading, writing and speaking;
**B. Other languages:**
**English and Italian** - Fluent in reading, writing and speaking;
**French and Spanish** - Working knowledge.

## IV. TRIBUNAL AND OTHER LEGAL EXPERIENCE

2001 - present: **Permanent Judge of the International Criminal Tribunal for the former Yugoslavia.**

Judge Agius is presently an Appeals Chamber judge of both the ICTY and the ICTR (as from 2010). Between 2003 and 2010 he was Presiding Judge of Trial Chamber II of the ICTY during which time he presided over the Brdjanin, the Oric and the multi-accused Popovic trials, the last one being the biggest ever trial held by the ICTY. He was also engaged in the initial appearance and pre-trial preparation of several other cases. Since 2010 he has been dealing with appeals from both the ICTY and the ICTR and presided over the Renzaho appeal which was decided earlier this year. Presently, he is presiding over the Djordjevic appeal. Since 2003 he has chaired the Rules Committee of the ICTY and until 2010 he was also a member of the Tribunal's Bureau. More recently, on behalf of the ICTY he has coordinated and brought to a conclusion the drafting of the Rules of Procedure and Evidence of the Residual Mechanism to be submitted to the UN Security Council for adoption. He has also been very active in promoting exchanges of experience and trial know-how with judges of the former Yugoslavia.

1999 - 2008: **Member of the Permanent Court of Arbitration, The Hague.**

1982 - 2001: **Judge of the Superior Courts in Malta.**

During this time Judge Agius presided over the Criminal Court until he was promoted to the Court of Appeal in all its jurisdictions (criminal, civil, commercial and administrative) and to the Constitutional Court where he became senior judge. He also served on several occasions as Acting Chief Justice in the absence of the Chief Justice. He was elected representative of the college of judges on the constitutional Commission for the Administration of Justice and was a member of the Rule Making Board of the Courts of Justice.

1977 - 1982: **Magistrate of the Courts of Magistrates in Malta.**

**1970 - 1977: Private practice as Advocate in Malta.**

## V. OTHER LEGAL EXPERIENCE

| | |
|---|---|
| 2001 | Co-founder and first President of the Association of Maltese Judges and Magistrates. |
| 1990 - 2001 | Founder and Convenor of the Maltese Sections of the European Association of Judges and the International Association of Judges. |
| 1995 | Representative of the Chief Justice, Sixth Commonwealth Chief Justices Conference, Seventh International Appellate Judges Conference, Ottawa. |
| 1995 | Representative of the Court of Appeal and the Constitutional Court, Fifth Congress of the International Association of Supreme Administrative Jurisdictions, Rome, presented a National Report. |
| 1989 | Participant, Meeting with the Plenum of the European Court of Human Rights as Member of the Constitutional Court of Malta. |
| 1988 - 2001 | Representative of the Maltese Judiciary, on the Central Council of the International Association of Judges. |

## VI. NON JUDICIAL LEGAL ACTIVITIES

Since 1970 Judge Agius has been actively involved in several national and international conferences and initiatives amongst which the following are the more important:

| | |
|---|---|
| 2000 | Guest Speaker on International Humanitarian Law to the International Law Committee of the Philadelphia Bar Association. |
| 2001 | Guest Lecturer on International Human Rights to law students of Rutgers University School of Law at Camden, NJ, U.S.A. |
| 2000 | Lecturer on Human Rights and the International Criminal Court, Mediterranean Masters in Human Rights and Democratisation, a course for professionals from the Mediterranean and European countries organized by the University of Malta sponsored by the European Union. |
| 2000 | Participant, paper presenter, European Inter-Governmental Conference on the Rome Statute of the International Criminal Court, Rome. |
| 1985 - 2000 | Represented the Maltese Government at the 7th, 8th, 9th and 10th United Nations Congresses on Crime Prevention and the Treatment of Offenders. |
| 1999 | Conference Organiser and Chairman, 13th International Conference of the International Society for the Reform of Criminal Law on Commercial and Financial Fraud, Malta. |
| 1998 - 2001 | Representative of the Government of Malta to the Preparatory Commission for the International Criminal Court. |
| 1999 - 2000 | Head of Delegation of the Government of Malta, United Nations Ad Hoc Committee on the Elaboration of a Convention against Transnational Organized Crime, Vienna. |
| 1999 | Consultant to the United Nations High Commissioner for Human Rights, Workshop on Human Rights and Criminal Procedure, Kathmandu, Nepal. |
| 1998 | Elected as the first Maltese member of the American Law Institute. |
| 1998 | Acting Head of Delegation and Adviser of the Government of Malta, United Nations Plenipotentiary Conference on the International Criminal Court, Rome. |
| 1997 - 1998 | Representative of the Government of Malta to the United Nations Preparatory Committee on the proposed Permanent International Criminal Court. |

| | |
|---|---|
| 1997 | Paper Presenter, International Conference for the Establishment of a Permanent International Criminal Court sponsored by No Peace Without Justice and the Government of Malta, Malta . |
| 1997 | Elected Member, Board of Directors of the International Society for the Reform of Criminal Law. |
| 1996 | Representative of the Maltese Judiciary, Commonwealth Law Conference, Vancouver. |
| 1993 | Academic Coordinator, Key-Note Speaker and Session Chairman, International Conference on Cross-Border Crime - International Cooperation in a Euro-Mediterranean Perspective, United Nations Inter-Regional Crime Research Institute UNICRI), Malta. |
| 1992 -2000 | Head of Maltese Delegation, all nine Annual Meetings of the United Nations Commission on Crime Prevention and Criminal Justice, Vienna. |

## VII. OTHER PROFESSIONAL AND ACADEMIC ACTIVITIES.

| | |
|---|---|
| 1998 - 2004 | Member of the Editorial Board of the Mediterranean Journal of Human Rights published by the Foundation for International Studies and the Faculty of Law of the University of Malta. |
| 1996 - 1999 | Pro-Chancellor of the University of Malta and President of the University Council. |
| 1996 - 1999 | Member of the Board of Directors of the Foundation for International Studies, Malta. |
| 1994 | Guest Lecturer, "The Humanisation of Public International Law", Mediterranean Academy of Diplomatic Studies, University of Malta. |
| 1994 | Paper Presenter, "Some Comments on the International Law Commission's 1991 Draft Code of Crimes Against the Peace and Security of Mankind", International Conference on Cross- Border Crime - International Cooperation, UNICRI, Malta. |
| 1992 -1993 | Guest Lecturer, "The Status of the Individual under Public International Law", Academy of Diplomatic Studies, University of Malta. |

## VI. PUBLICATIONS AND OTHER WORKS

### A. Published Articles

| | |
|---|---|
| 2001 | "Ratification and Implementation of the Rome Statute - Malta's Approach, European Inter-Governmental Conference on the Rome Statute of the International Criminal Court, Rome - printed in European Conference on the Rome Statute of the ICC, 2001, published by No Peace Without Justice. |
| 1999 | "Giovanni Elio Longo - Personal Reminiscences" printed in Judicial Independence Today - Liber Amicorum in honour of the Hon Mr Justice Giovanni E. Longo, (1999) Giuffre Editore, ISBN 88-14-07562-X. |
| 1998 | "For an Effective International Law: From the Preparatory Committee to the Diplomatic Conference for the Establishment of an International Criminal Court - The Commitment of the International Community", with Professor David Attard, presented at the International Conference for the Establishment of a Permanent International Criminal Court, Malta (June,1997) Printed in Towards the Establishment of a Permanent International Criminal Court, Mediterranean Journal of Human Rights, Vol 2, No.1, 1998, Foundation for International Studies, Malta, - ISSN 1027-4375 |
| 1995 | "The Judiciary and Politics in Malta" - with Professor Nancy Grosselfinger, presented at the Interim Roundtable Meeting of the Research Committee on Comparative Judicial Studies, |

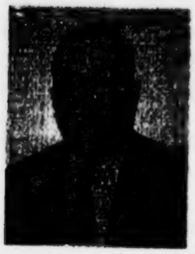
| | |
|---|---|
| | International Political Science Association, Forli', Italy (1992). Printed in The Global Expansion of Judicial Power. Ed. C.Neal Tate and TorbjÃrn Vallinder, New York University Press - ISBN 0-8147-8209-4 |
| 1993 | "Significant Landmarks in the History of the Development of Human Rights and Fundamental Freedoms in Malta" - Printed in Human Rights and Crime Prevention, U.N.I.C.R.I., Rome - ISBN 99909-952-2-2). |

## B. OTHER WORKS (amongst which)

| | |
|---|---|
| 1996 | "Limitations in the Protection of Human Rights in Malta", with Professor Nancy Grosselfinger, Interim Roundtable Meeting of the Research Committee on Comparative Judicial Studies of the International Political Science Association, Sherbrooke, Canada. |
| 1994 | "The Judiciary and Political Corruption in Malta" - with Professor Nancy Grosselfinger, Interim Roundtable Meeting of the Research Committee on Comparative Judicial Studies of the International Political Science Association, Florence, Italy. |
| 1991 | "Methods of Elaboration of Judicial Decisions in Malta" - Meeting of the First Study Commission of the International Association of Judges, Crans-Montana, Switzerland. |
| 1990 | "The Art of Cross-Examination in Criminal Proceedings in Malta" - International Seminar on Cross-Examination Techniques, Selva di Fasano, Italy. |

## VIII. SCHOLARSHIPS, HONOURS AND GRANTS

| | |
|---|---|
| 1999 | (CIES) Fulbright Scholar Research Grant held at Rutgers University School of Law at Camden, NJ, U.S.A. |
| 1999 | Medal Award for service rendered to the International Society for the Reform of Criminal Law. |
| 1988 | U.S. Information Agency, Visitors' Program, to study the legal data processing system operative in several U.S. courts and law offices and meet with members of the judiciary. |
| 1988 | Grantee, UK Government, Visitors' Programme, to study the legal data processing systems operative in courts in the London district. |



# CURRICULUM VITAE

**Dr.Aydin Sefa AKAY**
**United Nations International Criminal Tribunal for Rwanda**
**Arusha International Conference Centre,**
**P.O.Box, 6016, Arusha, Tanzania**
**Phone: +255 784 401 246/+90 532 562 75 96**
**Email: akay@un.org/aydinsefa@gmail.com**

Additional Information:
Citizen of the Republic of Turkey
Born 03 August 1950
Languages: Turkish (fluent), English (fluent), Russian (basic)

## EDUCATION AND TRAINING

**Hacettepe University — Ankara, Turkey**
Doctorate (Ph.D.)(Thesis: The Evolution of Human Rights in Turkey, 1923-1938)

**Hacettepe University — Ankara, Turkey**
Master's Degree (Thesis: The Evolution of Human Rights in Turkey, 1839-1923)

**Ankara University — Ankara, Turkey**
Bachelor of Arts (BA) in Law

**New York University School of Law — New York City, USA**
Attendence, Humanitarian Law Seminars

**Girne American University School of Law**
European Union Certificate in Competition Law

## PROFESSIONAL EXPERIENCE

**UN International Criminal Tribunal for Rwanda — Arusha, Tanzania** 2009-present
Judge

**Embassy of the Republic of Turkey — Nicosia, Cyprus** 2008
Legal Counselor

**Republic of Turkey, Ministry of Foreign Affairs — Ankara, Turkey** 2006-2008
Head of Legal Affairs Department

**Permanent Delegation of the Republic of Turkey to UNESCO — Paris, France**
2005-2006
Legal Counselor

**Permanent Mission of the Republic of Turkey to the Council of Europe (European Court of Human Rights) — Strasbourg, France**
2002-2004
Legal Counselor

| | |
|---|---|
| **Republic of Turkey, Ministry of Foreign Affairs** — Ankara, Turkey<br>Legal Counselor | 2000-2002 |
| **Embassy of the Republic of Turkey** — Nicosia, Cyprus<br>Legal Counselor | 1998-2000 |
| **Permanent Mission of the Republic of Turkey to the Council of Europe** —<br>Strasbourg, France<br>Legal Counselor | 1996-1998 |
| **Republic of Turkey, Ministry of Foreign Affairs** — Ankara, Turkey<br>Legal Counselor | 1993-1996 |
| **Permanent Mission of the Republic of Turkey to the United Nations** —<br>New York City, USA<br>Legal Counselor | 1989-1993 |
| **Ministry of Foreign Affairs, Republic of Turkey** — Ankara, Turkey<br>Legal Counselor | 1987-1989 |
| **Turkish Aerospace Industries** — Ankara- Eskişehir, Turkey<br>Auditor | 1987 |
| **Lawyer (self-employed)** — Ankara, Turkey | 1973-1987 |

## PROFESSIONAL ACTIVITIES

**International Center for Settlement of Investment Disputes / World Bank**
Member, Panel of Arbitrators

***Ministry of Culture of Turkey v. Palace Arts Foundation, Inc.*** **("Palace of Gold and Light: Treasures from the Topkapı" case)**
Appointed Arbitrator

**Group of States Against Corruption (GRECO)**
Evaluator

**Special Committee on the Charter of the UN and on the Strengthening of the Role of the Organization**
Reporter

**UN General Assemblies 44, 45, 46, 47 and 48**
Member of the delegation representing the Republic of Turkey

**Law of the Sea Discussions**
Member of the delegation representing the Republic of Turkey

**International Criminal Court Preparatory Committee**
Member of the delegation representing the Republic of Turkey

**UN Commission on International Trade Law (UNCITRAL)**
Member of the delegation representing the Republic of Turkey

**Organization for Economic Cooperation and Development (OECD) Multilateral Investment Agreements (MAI) discussions**
Member of the delegation representing the Republic of Turkey

**Discussions on the Establishment of the UN International Criminal Tribunal for Yugoslavia**
Member of the working group

**Discussions on Preparation for the UN Rio Conference on Environmental Matters**
Member of the delegation representing the Republic of Turkey

**Eighth United Nations North American Seminar on the Question of Palestine**
Participant

**The 12th meeting of the "Committee of Legal Advisers on Public International Law"(CAHDI)**
Participant

**NATO Activities for "Partnership for Peace"**
Participant

**UN Atomic Energy Agency General Assembly, Vienna, Austria**
Participant

**OECD Nuclear Energy Agency Meetings, Paris, France**
Participant

**Asian-African Legal Consultative Committee (AALCC)**
Participant

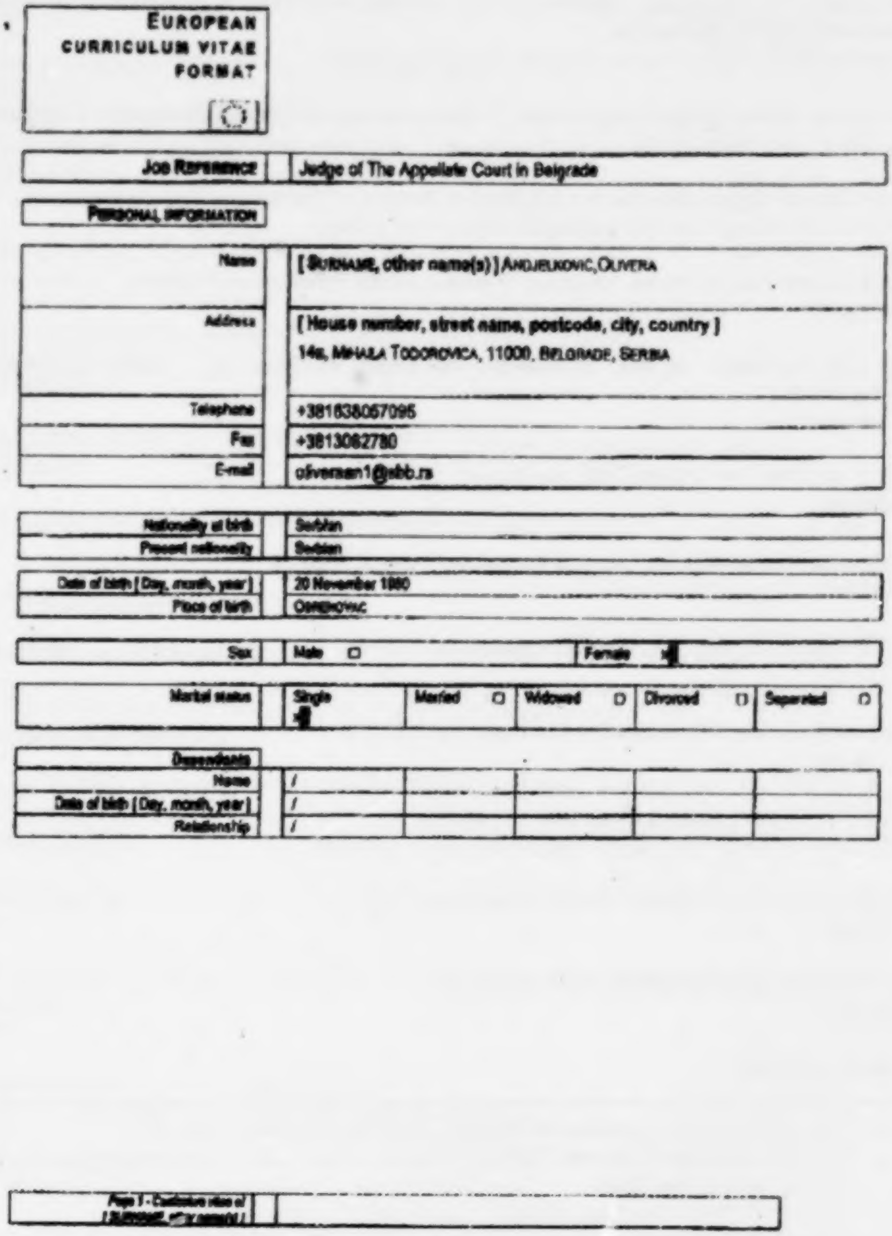
**Council of Europe, Deputy Ministers' Committee**
Member of the delegation representing the Republic of Turkey

**Executive Board of UNESCO (171-174 Sessions)**
Participant

**General Conference of UNESCO (33 Session)**
Participant

## PUBLICATIONS

- "Karayimler", Kök Araştırmalar Dergisi, Cilt 1, Sayı 2, Ankara, Güz 1999,
- "20.Yüzyılın İkinci Yarısında Türkiye Avrupa İlişkileri" , Kök Araştırmalar Dergisi, Cilt 2, Sayı 1, Ankara, Güz 2000,
- 1839-1923 Türkiye'de İnsan Hakları, Ankara 1998. Basılmamış Tez,
- Türkiye'de İnsan Haklarının Gelişimi 1923-1938, Ankara, 2004, Basılmamış Tez,
- Avrupa Birliği, Egemenlik ve İnsan Hakları, Ankara, 2004 (Tebliği genişletilmiş ayrı basım
- "Somut Olmayan Kültürel Mirasın Tarih Araştırmalarında Kaynak Olma Özelliği", Milli Folklor, Sayı: 70, Bahar, 2006, Ankara, Gazi Üniversitesi, 2006.



**EUROPEAN
CURRICULUM VITAE
FORMAT**

| | |
|---|---|
| **JOB REFERENCE** | Judge of The Appellate Court in Belgrade |

**PERSONAL INFORMATION**

| | |
|---|---|
| Name | **[ SURNAME, other name(s) ]** ANDJELKOVIC, OLIVERA |
| Address | **[ House number, street name, postcode, city, country ]**<br>14a, MIHAILA TODOROVICA, 11000, BELGRADE, SERBIA |
| Telephone | +381638057095 |
| Fax | +3813082780 |
| E-mail | oliveran1@sbb.rs |

| | |
|---|---|
| Nationality at birth | Serbian |
| Present nationality | Serbian |

| | |
|---|---|
| Date of birth [ Day, month, year ] | 20 November 1980 |
| Place of birth | OBRENOVAC |

| | | |
|---|---|---|
| Sex | Male ☐ | Female ☒ |

| | | | | | |
|---|---|---|---|---|---|
| Marital status | Single ☒ | Married ☐ | Widowed ☐ | Divorced ☐ | Separated ☐ |

| **Dependants** | | | | | |
|---|---|---|---|---|---|
| Name | / | | | | |
| Date of birth [ Day, month, year ] | / | | | | |
| Relationship | / | | | | |

| | |
|---|---|
| Page 1 - Curriculum vitae of [ SURNAME, other name(s) ] | |

**WORK EXPERIENCE**

[Add separate entries for each relevant post occupied, starting with the most recent. ]

| | |
|---|---|
| • Dates (from – to) | JANUARY 2010 – PRESENT |
| • Name and address of employer | Appellate Court in Belgrade, 9 Nemanjina St, Belgrade |
| • Type of business or sector | Judge in the War Crimes Department of the Higher Court in Belgrade (where conveyed from the Appellate Court for purposes of finalizing pending trails) |
| • Occupation or position held | Judge in the War Crimes Department, Higher Court in Belgrade |
| • Main activities and responsibilities | Presiding in main hearings and trials; participating in extra procedural court bench sessions; educational activities and training judicial assistants; reviewing and forming court practice |

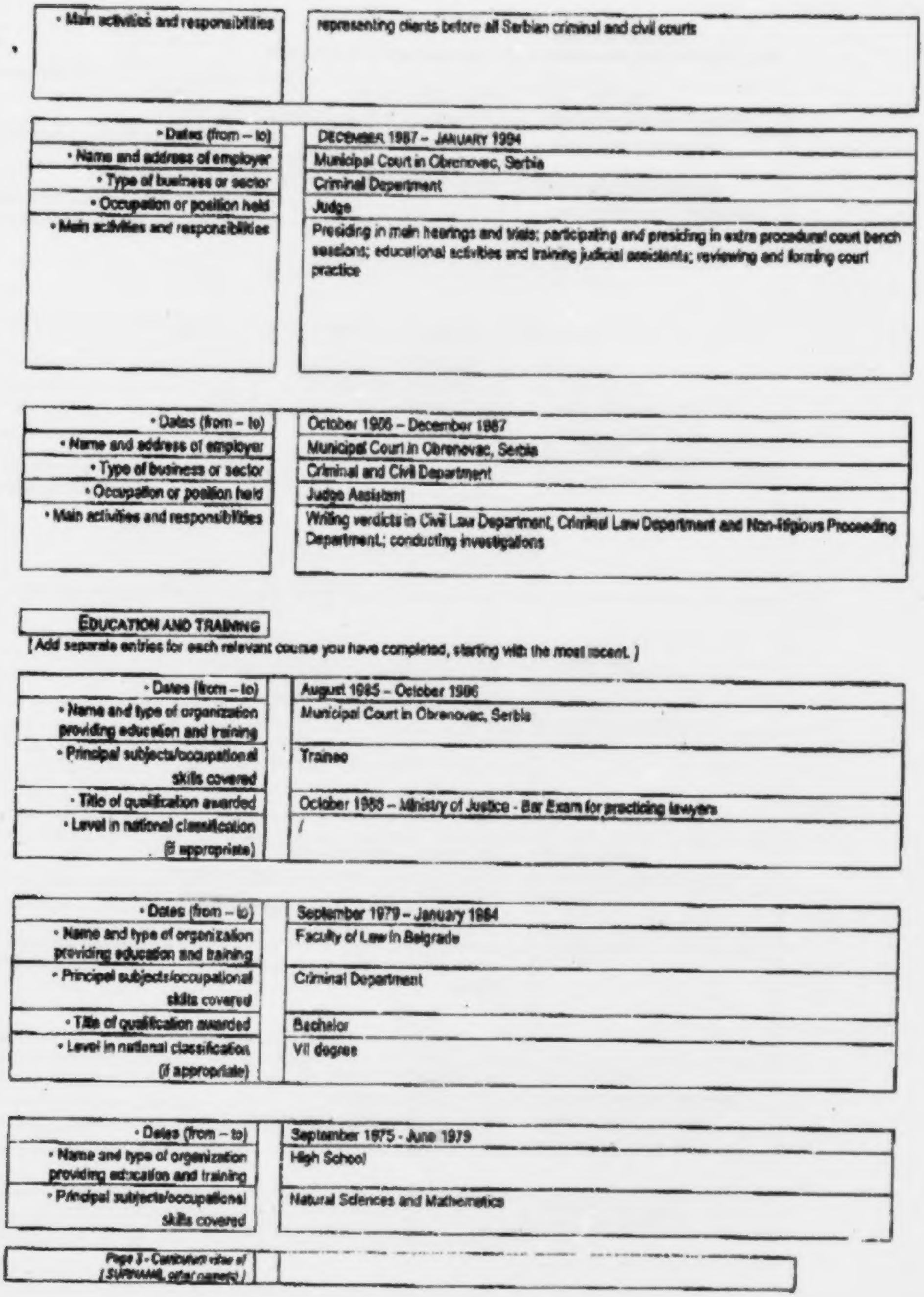
| | |
|---|---|
| • Dates (from – to) | OCTOBER 2003 – JANUARY 2010 |
| • Name and address of employer | District Court in Belgrade, Savska 17a, Belgrade |
| • Type of business or sector | War Crimes Chamber |
| • Occupation or position held | Judge |
| • Main activities and responsibilities | Presiding in main hearings and trials; participating in extra procedural court bench sessions; educational activities and training judicial assistants; reviewing and forming court practice |

| | |
|---|---|
| • Dates (from – to) | DECEMBER 2001 – OCTOBER 2003 |
| • Name and address of employer | District Court in Belgrade, Savska 17a, Belgrade |
| • Type of business or sector | Second Instance Criminal Department |
| • Occupation or position held | Judge |
| • Main activities and responsibilities | Presiding in main hearings and trials; presiding in extra procedural court bench sessions; educational activities and training judicial assistants; reviewing and forming court practice |

| | |
|---|---|
| • Dates (from – to) | DECEMBER 1998 – DECEMBER 2001 |
| • Name and address of employer | V Municipal Court in Belgrade, Ustanicka 14, Belgrade |
| • Type of business or sector | Criminal Department |
| • Occupation or position held | Judge |
| • Main activities and responsibilities | Presiding in main hearings and trials; participating and presiding in extra procedural court bench sessions; educational activities and training judicial assistants; reviewing and forming court practice |

| | |
|---|---|
| • Dates (from – to) | JANUARY 1994 - DECEMBER 1998 |
| • Name and address of employer | Bar Association in Belgrade |
| • Type of business or sector | practicing attorney (criminal and civil law) |
| • Occupation or position held | Attorney at Law |

| | |
|---|---|
| *Page 2 - Curriculum vitae of [ SURNAME, other name(s) ]* | |



| | |
|---|---|
| • Main activities and responsibilities | representing clients before all Serbian criminal and civil courts |

| | |
|---|---|
| • Dates (from – to) | DECEMBER 1987 – JANUARY 1994 |
| • Name and address of employer | Municipal Court in Obrenovac, Serbia |
| • Type of business or sector | Criminal Department |
| • Occupation or position held | Judge |
| • Main activities and responsibilities | Presiding in main hearings and trials; participating and presiding in extra procedural court bench sessions; educational activities and training judicial assistants; reviewing and forming court practice |

| | |
|---|---|
| • Dates (from – to) | October 1986 – December 1987 |
| • Name and address of employer | Municipal Court in Obrenovac, Serbia |
| • Type of business or sector | Criminal and Civil Department |
| • Occupation or position held | Judge Assistant |
| • Main activities and responsibilities | Writing verdicts in Civil Law Department, Criminal Law Department and Non-litigious Proceeding Department.; conducting investigations |

**EDUCATION AND TRAINING**

[ Add separate entries for each relevant course you have completed, starting with the most recent. ]

| | |
|---|---|
| • Dates (from – to) | August 1985 – October 1986 |
| • Name and type of organization providing education and training | Municipal Court in Obrenovac, Serbia |
| • Principal subjects/occupational skills covered | Trainee |
| • Title of qualification awarded | October 1986 – Ministry of Justice - Bar Exam for practicing lawyers |
| • Level in national classification (if appropriate) | / |

| | |
|---|---|
| • Dates (from – to) | September 1979 – January 1984 |
| • Name and type of organization providing education and training | Faculty of Law in Belgrade |
| • Principal subjects/occupational skills covered | Criminal Department |
| • Title of qualification awarded | Bachelor |
| • Level in national classification (if appropriate) | VII degree |

| | |
|---|---|
| • Dates (from – to) | September 1975 - June 1979 |
| • Name and type of organization providing education and training | High School |
| • Principal subjects/occupational skills covered | Natural Sciences and Mathematics |

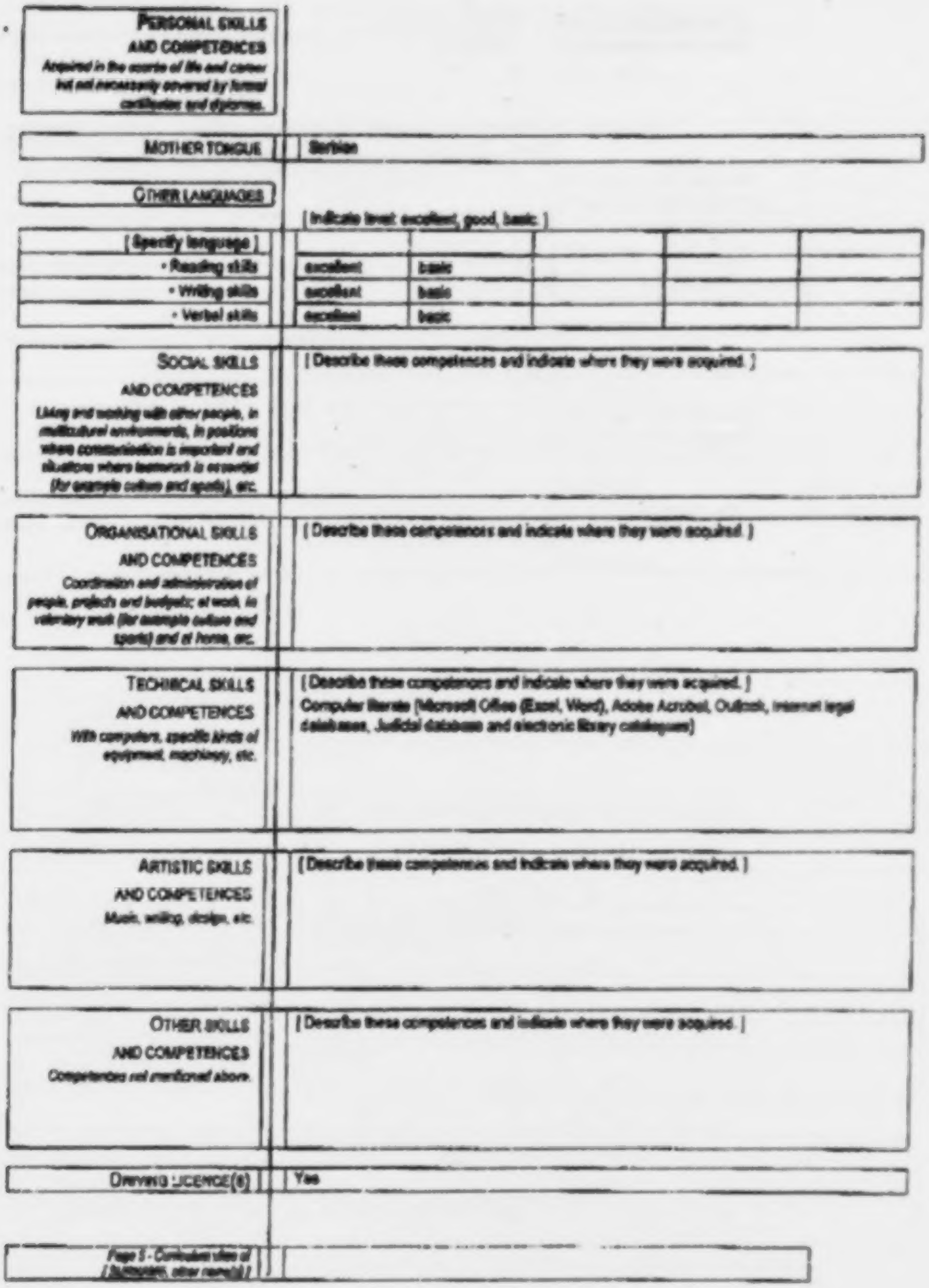
*Page 3 - Curriculum vitae of [ SURNAME, other name(s) ]*

| | |
|---|---|
| • Title of qualification awarded | High School Diploma |
| • Level in national classification (if appropriate) | IV degree |

| | |
|---|---|
| • Dates (from – to) | Participating in many trainings and courses covering various issues important to mastering criminal law, international criminal law and international humanitarian law. |
| • Name and type of organization providing education and training | |
| • Principal subjects/occupational skills covered | |
| • Title of qualification awarded | |
| • Level in national classification (if appropriate) | |

| | |
|---|---|
| • Dates (from – to) | |
| • Name and type of organization providing education and training | |
| • Principal subjects/occupational skills covered | |
| • Title of qualification awarded | |
| • Level in national classification (if appropriate) | |

| | | |
|---|---|---|
| Page 4 - Curriculum vitae of [ SURNAME, other name(s) ] | | |



| | |
|---|---|
| **PERSONAL SKILLS AND COMPETENCES**<br>*Acquired in the course of life and career but not necessarily covered by formal certificates and diplomas.* | |
| MOTHER TONGUE | Serbian |
| OTHER LANGUAGES | |

[ Indicate level: excellent, good, basic. ]

| | | | | | |
|---|---|---|---|---|---|
| [ Specify language ] | | | | | |
| • Reading skills | excellent | basic | | | |
| • Writing skills | excellent | basic | | | |
| • Verbal skills | excellent | basic | | | |

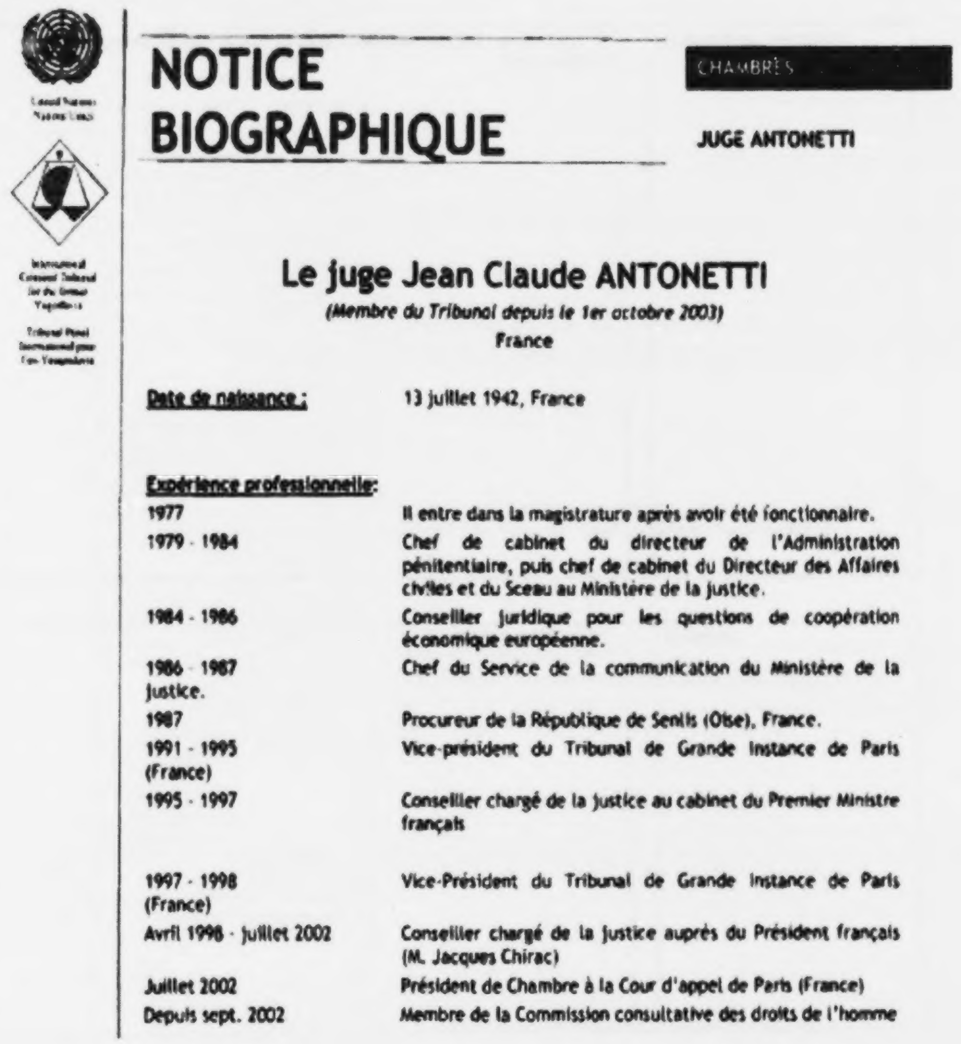
| | |
|---|---|
| SOCIAL SKILLS AND COMPETENCES<br>*Living and working with other people, in multicultural environments, in positions where communication is important and situations where teamwork is essential (for example culture and sports), etc.* | [ Describe these competences and indicate where they were acquired. ] |
| ORGANISATIONAL SKILLS AND COMPETENCES<br>*Coordination and administration of people, projects and budgets; at work, in voluntary work (for example culture and sports) and at home, etc.* | [ Describe these competences and indicate where they were acquired. ] |
| TECHNICAL SKILLS AND COMPETENCES<br>*With computers, specific kinds of equipment, machinery, etc.* | [ Describe these competences and indicate where they were acquired. ]<br>Computer literate (Microsoft Office (Excel, Word), Adobe Acrobat, Outlook, internet legal databases, Judicial database and electronic library catalogues) |
| ARTISTIC SKILLS AND COMPETENCES<br>*Music, writing, design, etc.* | [ Describe these competences and indicate where they were acquired. ] |
| OTHER SKILLS AND COMPETENCES<br>*Competences not mentioned above.* | [ Describe these competences and indicate where they were acquired. ] |
| DRIVING LICENCE(S) | Yes |

| | |
|---|---|
| *Page 5 - Curriculum vitae of [ SURNAME, other name(s) ]* | |

| | | |
|---|---|---|
| ADDITIONAL INFORMATION | | [ Include here any other information that may be relevant, for example contact persons, references, etc. ] |

| | | |
|---|---|---|
| ANNEXES | | [ List any attached annexes. ] |

| | | |
|---|---|---|
| Page 6 - Curriculum vitae of<br>[ nominee, other person(s) ] | | |



# NOTICE BIOGRAPHIQUE

CHAMBRES

**JUGE ANTONETTI**

## Le juge Jean Claude ANTONETTI

***(Membre du Tribunal depuis le 1er octobre 2003)***

**France**

**Date de naissance :** 13 juillet 1942, France

**Expérience professionnelle:**

| | |
|---|---|
| 1977 | Il entre dans la magistrature après avoir été fonctionnaire. |
| 1979 - 1984 | Chef de cabinet du directeur de l'Administration pénitentiaire, puis chef de cabinet du Directeur des Affaires civiles et du Sceau au Ministère de la justice. |
| 1984 - 1986 | Conseiller juridique pour les questions de coopération économique européenne. |
| 1986 - 1987 | Chef du Service de la communication du Ministère de la justice. |
| 1987 | Procureur de la République de Senlis (Oise), France. |
| 1991 - 1995 (France) | Vice-président du Tribunal de Grande Instance de Paris |
| 1995 - 1997 | Conseiller chargé de la justice au cabinet du Premier Ministre français |
| 1997 - 1998 (France) | Vice-Président du Tribunal de Grande Instance de Paris |
| Avril 1998 - juillet 2002 | Conseiller chargé de la justice auprès du Président français (M. Jacques Chirac) |
| Juillet 2002 | Président de Chambre à la Cour d'appel de Paris (France) |
| Depuis sept. 2002 | Membre de la Commission consultative des droits de l'homme |

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## Personal

*Name:* Florence Rita Arrey

*Born:* Buea, Cameroon

*Date of Birth:* 18 May 1948

*Nationality:* Cameroonian

*Current position:* *Ad litem* Judge, International Criminal Tribunal for Rwanda, Arusha, Tanzania

## Legal education

- Certificate in Legal Treaty Drafting and International Law — *1988*
  University of London, Advance Institute of Legal Studies
  London, United Kingdom
- Diploma in Magistracy — *1970-1972*
  ENAM, Yaoundé, Cameroon
- Bachelors of Laws (LL.B Honors) — *1967-1970*
  University of Lagos, Lagos, Nigeria

## A Summary of Notable Professional Accomplishments

- Designated Presiding Judge in:
  - *The Prosecutor v. Uwinkindi* (Referral) (ICTR-01-75) — 26 November 2010
  - *The Prosecutor v. Ndahimana* (ICTR-01-68) — 26 May 2010
  - *The Prosecutor v. Munyakazi* (ICTR-97-36A) — 15 April 2009

  First Ad litem Judge designated Presiding Judge of a Trial Chamber; adhered to the time standards set out in projecting the hearing of evidence from the Prosecution and Defence (nineteen trial days).
- Judge of the court of Appeals in the land mark case of *Alice Fodje v. Ndansi Kette* (BCA\45\1986) Court of Appeals Bamenda, Cameroon, 1986; [at the end of the trial, in a judgment described as a famous first, I held that appellant should occupy one of the three houses and also collect rents from the other two houses of her divorced husband].
- Judge of the court of Appeals in *Chibikom v. Chibikom*; [gave a married daughter the right to administer the estate of her deceased father].
- Judge of the court of Appeals in Ngongnasen v. Ngongnasen; [held that a widow had the right to inherit the property of her late husband contrary to Customary Law which said that the nephew had to inherit]
- Chief Justice of the Court of Appeals (*1990-1994*); first Cameroonian female to hold this post.

## Professional Experience

*2003 – 2011 Ad Litem* Judge, International Criminal Tribunal for Rwanda

Participated in numerous judgments and decisions:
- *The Prosecutor v. Uwinkindi* (ICTR-01-75) Referral
- *The Prosecutor v. Hategekimana* (ICTR-00-55bT) Referral
- *The Prosecutor v. Gatete* (ICTR-00-61) Referral
- *The Prosecutor v. Ndahimana* (ICTR-01-68)
- *The Prosecutor v. Munyakazi* (ICTR-97-36A)
- *The Prosecutor v. Nsengimana* (ICTR-01-69)
- *The Prosecutor v. Renzaho* (ICTR-97-31-DP)
- *The Prosecutor v. Setako* (ICTR-04-81)
- *The Prosecutor v. Karera* (ICTR-01-74)
- *The Prosecutor v. Bikindi* (ICTR-01-72)
- *The Prosecutor v. Muvunyi* (ICTR-00-55A-T)
- *The Prosecutor v. Rutaganira* (ICTR-95-1-C)
- *The Prosecutor v. Karamera* (ICTR -97-24)

- Member: Chambers Selection Committee

*2000-2003* Judge, SUPREME COURT of CAMEROON
- heard appeals coming from the 10 provinces of the country in criminal, civil and labour cases;
- heard election petitions and certified the results of presidential, parliamentary and municipal elections ;
- heard administrative cases against the government.

*1994-2000* Chief Justice, COURT OF APPEALS Buea, Cameroon (South West Province)
- presided over cases on appeal from the High Courts and Magistrate Courts in the province in civil, labour and criminal matters.

*1990-1994* Chief Justice, COURT OF APPEALS Bamenda, Cameroon (North West Province)
*[First Cameroonian Woman to hold the post]
- presided in the Court of Appeals to hear appeals in labour, criminal and civil cases - coming from the entire province (i.e. Courts of First Instance and all the Divisional High Courts); and customary courts.

*1985-1990* Vice President, COURT OF APPEALS Bamenda, Cameroon
- member of the bench
- heard appeals coming from the Province in civil, labour and criminal matters;
- simultaneously sat as a Judge of the High Court of Momo (Cameroon) to hear criminal, civil and labour matters;
- rendered landmark Decisions, regarding the rights of women and the girl child to own property.

*1984 -1985* Advocate General, COURT of APPEALS Bamenda, Cameroon
- was responsible for prosecuting all criminal matters on appeals from the High Courts of First Instance of the province.

*1983-1984* Vice President, COURT of APPEALS Bamenda, Cameroon and Judge of the High Court of Momo

*1980-1983* Advocate General, COURT of APPEALS Bamenda, Cameroon
- was responsible for prosecuting all criminal matters on appeals from the High Courts and Courts of First Instance of the province.

*1979-1980* Deputy Prosecutor General, Buea, Cameroon
- prosecuted criminal appeals from the provinces.

*1975-1979* President, COURT of FIRST INSTANCE, Tiko, Cameroon
- presided over all civil, criminal and labour cases in Tiko Sub Division

*1973-1975* State Counsel, Kumba (Meme Sub-Division), Cameroon
- was in charge of Prosecution in both the High Court of Meme and Ndian as well as the Magistrate Courts in these two Divisions.

## Professional Affiliations

*Member of the following Societies:*

- International Association of Women Judges (IAWJ)
  Regional Director, Cameroon
  Elected Member of the International Board of Directors
- International Federation of Women Lawyers (FIDA)
- Commonwealth Magistrates and Judges Association, Cameroon
- Society for the Reform of Criminal Law

## Miscellaneous

*Conferences and Seminars Attended:*

- INTERNATIONAL ASSOCIATION OF WOMEN JUDGES (IAWJ), 10th Biennial Conference, "Judicial challenges in a Changing World", Seoul, South Korea 11-15 May 2010. [Paper presented: "Economic and Work Challenges facing Women and the Courts"].
- INTERNATIONAL ASSOCIATION OF WOMEN JUDGES (IAWJ), Africa Regional Conference, "Equal Justice for All - Access to Justice: Discrimination, Violence & HIV-AIDS, Property Rights, Children's Rights, Judicial Ethics, Trafficking in Persons, technology and Crime", Arusha, Tanzania, 26 – 30 August 2009. [Paper presented: "Technology and Crime"].
- "Arusha: Model or Counter Model for International Criminal Justice? - A perspective from the stakeholders", Geneva, Switzerland, July 2009. [Paper presented: "ICTR: Model for the Future?"]
- INTERNATIONAL ASSOCIATION OF WOMEN JUDGES (IAWJ), 9TH Biennial Conference, "Equal Justice for All: Access, Discrimination, Violence, Corruption", Panama City, Republic of Panama, 25-28 March 2008 [elected to the International body of Governors]
- UNICTR, CLE Legacy Symposium, "The Legacy of International Criminal Courts and Tribunals for Africa", 29 November – 1 December 2007
- HIIL NATIONAL LAW in a GLOBAL SOCIETY, colloquium, "Best Practice of Procedure: "How to adjudicate the most serious crimes?" The Hague, The Netherlands, 15-16 October 2007.
- UNICTR, CLE Legal Writing Seminar 4-5 February 2006
- Jubilee Conference London, organized by the Commonwealth Magistrates and Justice Association in 2001.
- Stage d'Imprégnation à la Cour de Cassation Français Paris – March/April 2002

- "The Application of International Law in Canadian Courts", organized by the Canadian Chapter of the International Association of Women Judges in Montreal, Canada – November 2001.
- Workshop: Training of Civil Status Registrars, organized by FIDA in Bamenda, Cameroon – 1998. [Paper presented: "Interpretation of the Civil Status Ordinance by the Courts"].
- Seminar organized by CWF Bamenda in 1991 [Paper presented: "Women and the Law in Cameroon"].
- Seminar/Workshop for the training of trainers on Pro-Democracy and Human Rights. Organized by FIDA Cameroon and sponsored by Cameroon -Canadian Cooperation in Mutengene Fako – February 1997 [Paper presented: "Access to Justice in Cameroon"].
- Participated in a Seminar organized by FIDA in collaboration with Friedrich Ebert, for Magistrates and Judges [Paper presented: "Factors that Prevent Women from enjoying their Human Rights in Cameroon"].
- Participated in the Judicial Colloquium on the "Domestic Application of the Convention on the Elimination of all Forms of Discrimination against Women and the Convention of the Rights of the Child", organized by the United Nations Division for the Advancement of Women in Vienna, Austria – October 1999 [Paper presented: "Legislative and Judicial Treatment of Family Relations in Cameroon", published in "Bringing International Human Rights Law Home"].
- Met with Women Groups working on "Gender Issues and the Rights of Children", in the USA. Was appointed Regional Director of the International Association of Women Judges for Cameroon,
- Participated in the International Visitors Program on "The Rule of Law and Administration of Justice" in the USA – August/September, 1994.
- Participated in the "Training Program on Democracy and Good Governance for African Women", organized by the USAID in the USA – August 1993 [Paper presented: "The Judicial System in Cameroon"], and was awarded an Honorary Citizen Certificate of Kansas City, Missouri.
- Participated in the "International Seminar on the Network of Legal Aid Clinics for Women in Francophone Africa." Organized by the Ministry of Justice in Yaoundé – May 1993.
- "The Constitutional Rights of Women in Africa; Problems of Implementation". Organized by the International Federation of Women lawyers (FIDA) in Abuja, Nigeria – October 1991.
- "Investigating Crimes and Apprehending Suspects: Police Powers and Citizens Rights." Organized by the Society for the Reform of Criminal Law in Sydney, Australia – March 1989.

*Articles published:*

- Publication of Book, "The Common Law in Cameroon" by the Common Law Magistrate and Judges Association.

*Others:*

- Certificate - Distinction in Law and Economics awarded by the Minister of Women's Affairs, Cameroon.

*Languages:*

- Mother Tongue: Kenyang
- Primary Language: English
- Other Language: French

**Informations personnelles**

*Nom et prénoms:* Florence Rita Arrey

*Date et lieu de naissance :* 18 mai 1948 à Buéa (Cameroun).

*Nationalité:* Camerounaise.

*Situation actuelle:* Juge *ad litem*, Tribunal pénal international pour le Rwanda, Arusha (Tanzanie).

**Études de droit**

- *Certificate in Legal Treaty Drafting and International Law* *1988*
  Université de Londres, *Advance Institute of Legal Studies*
  Londres (Royaume –Uni).
- Diplôme de Magistrat *1970-1972*
  École nationale d'administration et de magistrature (ENAM), Yaoundé (Cameroun)
- *Bachelors of Laws (LL.B Honors)* *1967-1970*
  Université de Lagos, Lagos (Nigéria).

**Aperçu des principales réalisations professionnelles**

- Désignée Président de Chambre dans les affaires suivantes:
  - *Le Procureur c. Uwinkindi* (Renvoi) (affaire n° ICTR-01-75) 26 novembre 2010
  - *Le Procureur c. Ndahimana* (affaire n° ICTR-01-68) 26 mai 2010
  - *Le Procureur c. Munyakazi* (affaire n° ICTR-97-36A) 15 avril 2009

  Premier juge *ad litem* à être désigné Président d'une Chambre de première instance. J'ai réussi à tenir les délais fixés pour la présentation des moyens à charge et des moyens à décharge (19 jours d'audience).

- Juge à la Cour d'appel dans l'affaire historique *Alice Fodje c Ndansi Kette* (BCA\45\1986), Cour d'appel de Bamenda, Cameroun, 1986; [à l'issue du procès et dans un arrêt sans précédent devenu célèbre, j'ai jugé que l'appelant devait occuper une des trois maisons de son mari divorcé et percevoir le loyer des deux autres].

- Juge à la Cour d'appel dans l'affaire *Chibikom c Chibikom*; [J'ai donné à une fille mariée le droit d'administrer les biens de son défunt père].

- Juge à la Cour d'appel dans l'affaire *Ngongnassa c Ngongnassa;* [J'ai jugé qu'une veuve avait le droit d'hériter des biens de son mari contrairement au droit coutumier qui attribuait ce droit au neveu du défunt]

- Président de la Cour d'appel (*1990-1994*): Première femme camerounaise à occuper un tel poste.

**Expérience professionnelle**

2003 – 2011 *:* Juge *ad Litem*, Tribunal pénal international pour le Rwanda.

J'ai participé à de nombreux jugements et décisions :

- *Le Procureur c. Uwinkindi* (affaire n° ICTR-01-75) Renvoi.
- *Le Procureur c.Hategekimana* (affaire n°ICTR-00-55bT) Renvoi.
- *Le Procureur c.Gatete* (affaire n°ICTR-00-61) Renvoi.
- *Le Procureur c. Ndahimana* (affaire n° ICTR-01-68)
- *Le Procureur c. Munyakazi* (affaire n° ICTR-97-36A)
- *Le Procureur c.Nsengimana* (affaire n° ICTR-01-69)
- *Le Procureur c. Renzaho* (affaire n° ICTR-97-31-DP)
- *Le Procureur c.Setako* (affaire n° ICTR-04-81)
- *Le Procureur c. Karera* (affaire n° ICTR-01-74)
- *Le Procureur c.Bikindi* (affaire n° ICTR-01-72)
- *Le Procureur c.Muvunyi* (affaire n° ICTR-00-55A-T)
- *Le Procureur c.Rutaganira* (affaire n° ICTR-95-1-C)
- *Le Procureur c.Karamera* (affaire n°ICTR-97-24)

  - Membre du comité de sélection des Chambres.

*2000-2003 :* Conseiller à la Cour suprême du Cameroun

- J'ai statué sur des appels provenant des provinces du pays en matière pénale, civile et du droit du travail ;
- J'ai statué sur les demandes d'invalidation d'élections et certifié les résultats des élections présidentielle, législatives et municipales ;
- J'ai statué sur des affaires relevant du droit administratif.

*1994-2000 :* Président de la Cour d'appel de Buéa (Province du Sud-Ouest, Cameroun).

- J'ai présidé le collège des juges dans des appels provenant des tribunaux de grande instance et de première instance de la province en matière pénale, civile et du droit du travail.

*1990-1994:* Président de la Cour d'appel de Bamenda (Province du Nord –Ouest, Cameroun).

[Première femme camerounaise à occuper un tel poste]

- J'ai statué sur des appels en matière pénale, civile et du droit du travail provenant des tribunaux de toute la province (à savoir les tribunaux de grande instance et de première instance) et des tribunaux coutumiers.

*1985-1990 :* Vice Président de la Cour d'appel de Bamenda (Cameroun).

- Membre du collège des juges.
- J'ai statué sur des appels provenant des tribunaux de la province en matière pénale, civile et du droit du travail ;
- Je siégeais simultanément comme juge du Tribunal de grande instance de la Momo pour entendre des affaires pénales, civiles et relevant du droit du travail ;
- J'ai rendu des décisions historiques concernant le droit de la femme et de la jeune fille à la propriété foncière.

*1984 -1985 :* Avocat général près la Cour d'appel de Bamenda (Cameroun).

- Chargée des poursuites dans toutes les affaires pénales en appel provenant des tribunaux de grande instance et de première instance de la province.

*1983-1984 :* Vice Président de la Cour d'appel de Bamenda et juge au Tribunal de grande instance de la Momo.

*1980-1983 :* Avocat général près la Cour d'appel de Bamenda (Cameroun).

- Chargée des poursuites dans toutes les affaires pénales en appel provenant des tribunaux de grande instance et de première instance de la province.

*1979-1980 :* Substitut du Procureur, Buéa, Cameroun

- Chargée des poursuites dans les affaires pénales en appel de la province

*1975-1979 :* Président du Tribunal de première instance de Tiko (Cameroun).

- J'ai présidé toutes les affaires pénales, civiles et relevant du droit du travail dans l'arrondissement de Tiko.

*1973-1975 :* Procureur de la République, Kumba (Cameroun).

- J'étais chargée des poursuites à la fois dans les tribunaux de grande instance de la Meme et du Ndian et dans les tribunaux de première instance des deux départements.

Associations professionnelles

- Membre de l'Association internationale des femmes juges.

Directrice régionale.

Élue membre du Conseil d'administration international.

- Membre de la Fédération internationales des femmes avocats (FIDA).

- Membre du *Commonwealth Magistrates and Judges Association.*
- Membre de la *Society for the Reform of Criminal Law*

***Conférences et séminaires auxquels j'ai assisté:***

- Dixième conférence biennale de l'Association internationale des femmes juges sur le thème : « *Judicial challenges in a Changing World* » [Les défis juridiques dans un monde en mutation] [traduction] Séoul (Corée du Sud), du 11 au15 mai 2010. [Exposé présenté : *Economic and Work Challenges facing Women and the Courts* [Les femmes et les tribunaux face aux défis du monde du travail et de l'économie» [traduction].
- Conférence régionale africaine de l'Association internationale des femmes juges sur le thème : « *Equal Justice for All - Access to Justice: Discrimination, Violence & HIV-AIDS, Property Rights, Children's Rights, Judicial Ethics, Trafficking in Persons, technology and Crime* » [[Une justice égale pour tous : accès à la justice, discrimination, violence et VIH/SIDA, droit à la propriété, droits de l'enfant, déontologie judiciaire, trafic de personnes, technologie et crime [traduction]]. Arusha (Tanzanie), du 26 au 30 août 2009.[Exposé présenté: *Technology and Crime* [Technologie et crime [traduction]].
- « *Arusha: Model or Counter Model for International Criminal Justice? - A perspective from the stakeholders*", [Arusha: Exemple ou contre exemple pour la justice pénale internationale: perspectives pour les acteurs [traduction]], Genève (Suisse), juillet 2009. [Exposé présenté: *ICTR: Model for the Future?*[ Le TPIR: un modèle pour l'avenir? [traduction]]

- Neuvième conférence biennale de l'Association internationale des femmes juges sur le thème « *Equal Justice for All: Access, Discrimination, Violence, Corruption* » [Une justice égale pour tous : accès, discrimination, violence et corruption [traduction]] Panama City, République du Panama, du 25 au 28 mars 2008 [élue au Conseil d'administration international]

- TPIR, *CLE Legacy Symposium, "The Legacy of International Criminal Courts and Tribunals for Africa"*,[l'héritage des cours et tribunaux pénaux internationaux pour l'Afrique], du 29 novembre au1er décembre 2007.
- Colloque organisé par *HiiL NATIONAL LAW in a GLOBAL SOCIETY* sur le thème « *Best Practice of Procedure: "How to adjudicate the most serious crimes?* » [Meilleures pratiques de procédure: comment juger les crimes les plus graves ?[traduction]], La Haye (Pays-Bas), 15 et 16 octobre 2007.
- TPIR, CLE *Legal Writing Seminar* [séminaire sur les techniques de rédaction juridique] 4 et 5 février 2006.
- Conférence jubilé organisée à Londres par la *Commonwealth Magistrates and Justice Association* en 2001.
- Stage d'imprégnation à la Cour de cassation française, Paris, mars et avril 2002.
- Conférence sur le thème : « L'application du droit international dans les tribunaux canadiens » organisé par le Chapitre canadien de l'Association internationale des femmes juges, Montréal (Canada), novembre 2001.

- Atelier sur la formation des officiers d'état civil organisé par la Fédération internationale des femmes avocats (FIDA) à Bamenda (Cameroun) en 1988 [Exposé présenté: « L'interprétation de l'ordonnance portant état civil par les juridictions]
- Séminaire organisé par la *Christian Women Fellowship* [Association des femmes chrétiennes] à Bamenda en 1991 [Exposé présenté : « La femme et le droit au Cameroun »].
- Seminaire/ atelier pour la formation des formateurs sur l'avancement de la démocratie et les droits de l'homme, organisé par la FIDA et sponsorisé par la Coopération Cameorun-Canada, Mutenguené Fako (Cameroun), février 1997 [Exposé présenté : « L'accès à la justice au Cameroun »].
- Séminaire organisé par la FIDA en collaboration avec la Fondation Friedrich Ebert à l'intention des juges et magistrats [Exposé présenté : « Les entraves à la jouissance des droits de la femme au Cameroun. »].
- Colloque juridique sur « L'application nationale de la Convention sur l'élimination de toutes les formes de discrimination à l'égard des femmes et la Convention relative aux droits de l'enfant » organisé en octobre 1999 à Vienne (Autriche) par la Division de la promotion de la femme des Nations unies. [Exposé présenté : « La gestion législative et juridique des relations familiales au Cameroun », publié dans la revue *Bringing International Human Rights Law Home*].
- Rencontre avec des groupes de femmes impliquées dans les « questions d'égalité des sexes et le droit de l'enfant aux Etats-Unis. J'ai été nommée

Directrice régionale de l'Association internationale des femmes magistrats pour le Cameroun.

- Programme américain des visiteurs internationaux sur le thème : « l'État de droit et l'administration de la justice » organisé aux États-Unis d'Amérique en août et septembre 1994.
- « Programme de formation sur la démocratie et la bonne gouvernance pour les femmes africaines » organisé aux États-Unis d'Amérique en août 1993 par l'Agence américaine pour le développement international (USAID) [exposé présenté : « La justice camerounaise »]. J'ai par la suite été faite citoyenne d'honneur de la ville de Kansas, État du Missouri.
- « Séminaire international sur le réseau des instances d'assistance judiciaire aux femmes en Afrique francophone » organisé à Yaoundé (Cameroun) en mai 1993 par le ministère de la Justice.
- Conférence sur le thème : « Les droits constitutionnels de la femme en Afrique : problèmes d'application », organisée par la FIDA en octobre 1991 à Abuja (Nigéria).
- Conférence sur le thème : « Instruction du crime et appréhension des suspects : les pouvoirs de la police face aux droits du citoyen » organisée à Sydney Australie en mars 1989 par la *Society for the Reform of Criminal Law* [Société pour la réforme du droit pénal].

*Articles publiés*:

- Publication du livre *The Common Law in Cameroon* par la *Common Law Magistrate and Judges Association*.

*Autres distinctions*:

- Prix d'excellence en droit et économie décerné par le Ministre de la Condition féminine du Cameroun.

*Langues parlées:*

- Langue maternelle : Kenyang
- Langue de travail : Anglais
- Autre langue : Français

# HON. SOLOMY BALUNGI BOSSA
## *CURRICULUM VITAE*

## CONTACT INFORMATION

**Professional**

International Criminal Tribunal for Rwanda
P.O. Box 6016
Arusha, Tanzania
+255.27.2504207.11 (office)
+255.784.202591 (mobile)
bossa@un.org

OR

**Courts of Judicature**
**High Court of Uganda**
**P.O. Box 7085**
**Kampala, Uganda**

## LANGUAGE SKILLS

**English:** Fluent

## EMPLOYMENT

**United Nations International Criminal Tribunal for Rwanda**
Judge *(ad litem)*
Arusha, Tanzania
2003-present

**High Court of Uganda**
Judge
Kampala, Uganda
1997-present

**East African Court of Justice**
Judge
Arusha, Tanzania
2001-2006

**High Court of Uganda**
Practising Advocate
Kampala, Uganda
1988-1997

**Uganda Law Development Centre**
Law Lecturer and Law Reporter
Kampala, Uganda
1980-1997

## EDUCATION

**University of London**, London, United Kingdom
*Master of Laws (LL.M.) in Public International Law*, candidate, 2011-2016

**The Commonwealth Youth Program Africa Centre**, Lusaka, Zambia
*Certificate in Law Reporting*, conferred 1987

**Uganda Law Development Centre**, Kampala, Uganda
*Post-Graduate Diploma in Legal Practice*, conferred 1980

**Makerere University**, Kampala, Uganda
*Bachelor of Laws (LL.B.)*, conferred 1979

## PROFESSIONAL TRAINING

**Continuing Judicial Education – Various Topics** Various Locations
East African Judicial Education Committee Ongoing
International Women Judges Association
Judicial Education Program, Training Committee, UNICTR

**Continuing Legal Education – Various Topics** Various Locations
Uganda Law Society Ongoing
East African Law Society
International Bar Association

**Seminar: "Gender, Justice and the International Criminal Court"** Budapest, Hungary
International Association of Women Judges October 2002

**Jurisprudence of Equality Training Program**
International Association of Women Judges 2000

**Bar Leaders Conference** Berlin, Germany
International Bar Association 1995

**"Rule of Law and Women in the Judicial Process"** USA
United States Department of State's International Visitor Leadership Program 1995

**Training on Law, Ethics, HIV and AIDS** Various locations (Accra, Dakar, New York, Abidjan)
United Nations Development Programme 1994-1996

**Civic Education and Election Monitoring Training,** Uganda
Uganda Ministry of Justice 1994-1996

**Popular Legal Education Methods** Uganda
Law and Women in Africa (LAWA) 1993

## ELECTIVE OFFICES HELD

| | |
|---|---|
| **Member**, African Centre for Democracy and Human Rights | 2005-present |
| **Member**, International Commission of Jurists | 1997-present |
| **Founding Chairperson**, Kituo cha Katiba (East African Centre for Constitutional Development) | 1996-2003 |
| **Chairperson**, Law Development Centre Uganda Legal Aid Clinic | 1999-2001 |
| **Vice-Chairperson**, International Bar Association Human Rights Institute | 1995-2000 |
| **Founding Chairperson**, Uganda Network on Law, Ethics, HIV and AIDS | 1993-1999 |
| **Founding President**, East Africa Law Society | 1995-1997 |
| **Chairperson**, Uganda National Organization for Civic Education | 1994-1997 |

| | |
|---|---|
| **President**, Uganda Law Society | 1993-1995 |
| **Member**, Uganda Law Council Disciplinary Committee | 1993-1995 |
| **Vice-Chairperson**, International Federation of Women Lawyers (FIDA) Uganda | 1992 |
| **Council Member**, FIDA, Uganda | 1989-1990 |
| **Secretary**, FIDA, Uganda | 1985 |

## PUBLIC APPOINTMENTS HELD

| | |
|---|---|
| **Chairperson**, Uganda Law Council | 1998-2003 |
| **Chairperson**, Interim National Steering Committee on Community Service in Uganda | 1997-2000 |

## PUBLICATIONS AND PRESENTATIONS

### Publications

- "Towards a Protocol extending the jurisdiction of the East African Court of Justice", *East African Lawyer*, March 2006.

- "Anti-terrorism Act 2002 (Uganda) and Human Rights Implications", *Bulletin on Counter-Terrorism*, 2004-2005.

- "A critique of the East African Court of Justice as a Human Rights Court", in *The Protectors: Human Rights Commissions and Accountability in East Africa*, 2008.

- "Report on Legal Education and Training in Uganda" (co-authored), Uganda Ministry of Justice Publications, 1995.

### Presentations

- "The successes and challenges of the UNICTR", presented to the *Harvard University African Law Association*, 1 November 2010 (Boston).

- "The Role and Contribution of Regional Courts in International Criminal Justice", presented at the *Golden Jubilee Celebrations of the International Commissions of Jurists, Kenya Chapter*, 9 November 2009 (Mombasa).

- "A Critique of the East African Court of Justice as a Human Rights Court", presented to conference organized by *Kituo cha Katiba on "Enhancing the capacity of Human Rights Commissions in Eastern Africa in relation to the East African Community"*, 26 October 2006. (see also publication above).

- "The East African Community, the protection of women's rights and gender equality", presented to the *SIDA East African Program on Equal Status and Human Rights of Women*, August 2003 (Nairobi).

- "The Role of the East African Law Society in the 21st Century", presented to the *Annual General Assembly of the East African Law Society*, April 2002 (Zanzibar).

- "A brief overview on the state of free expression/association in East Africa", presented to the *Advisory Panel on Free Expression at Interights*, 2002 (London)

- "Gender sensitivity in criminal trials and counseling in criminal proceedings", presented to the Prosecutor Trainees at the *Uganda Law Development Centre*, 2001.

- "Personal security and accessible justice", presented to the *Wilton Park Conference on Challenges for Governance in Africa*, 2000.

- "Legislation and Community Service", presented to various stakeholders in the justice system, 1999 (Kampala).

- "Gender and children in the judiciary", presented to the *East African Judges Conference*, 1999 (Nairobi).

- "A Culture of Constitutionalism", presented to the *Conference on Constitutionalism, Human Rights and Regional Integration*, 1996 (Arusha).

- "Constitutionalism and Human Rights in a Democracy", presented to a seminar for the Tanzanian Judiciary, June 1996 (Arusha).

- "The Constituent Assembly: Prospects for a democratic constitution – Constitutional institutions and their role in the democratization process", presented to the *Constitutionalism Conference* hosted by the Faculty of Law, Makerere University, April 1996.

- "Is the ground level in the forthcoming elections?", presented to the *Uganda Media Development Foundation*, April 1996.

- "Consolidating constitutional gains; the Youth Perspective", presented to an East African Judicature Seminar, 1996.

- "Review of the electoral process in Uganda", presented to the *National Organization for Civic Education and Election Monitoring Capacity Building Workshop*, March 1996.

- "The parameters of a free and fair election", presented to the *Uganda Civic Education Joint Coordination Unit* and the *National Organization for Civic Education and Monitoring*, October 1995.

- "Involving the community in human rights works; the need for Civic Education", presented to the *Foundation for Human Rights Initiative Seminar*, 1995.

- "Human Rights and Democracy in Uganda", presented to the *Uganda Think Tank Foundation*, 1994.

- "Monitoring Elections: The Uganda Constituent Assembly Elections", presented to Ugandan Election Monitors, 1994.

- "HIV, Ethics and the Law", presented to an audience consisting of people living with HIV, health professionals, lawyers and activists in combating the HIV and AIDS pandemic, 1993.

## AWARDS

**East African Law Society Award**
for Exceptional Skills and Devotion as founding President in the establishment of the East African law Society. 2005

**Uganda Law Society Award**
for being the first woman to sit on the East African Court of Justice. 2002

**Certificate of Recognition**
for exemplary contribution to the establishment and work of the East African Centre for Constitutional Development (Kituo cha Katiba). 2002

**Certificate of Honor**
for meritorious service as Chairperson of the Legal Aid Clinic May 2002

**Uganda Law Society Annual Award**
In recognition of exemplary contribution to the promotion of justice in Uganda 2001

**Certificate of Recognition**
as Trainer in the Jurisprudence of Equality Project. 2001

**Certificate of Honor**
for meritorious service rendered to the Uganda Law Society 1998

**Best of the 1990s Awards: Best Legal Personality of 1996**
Bestowed by New Generation Africa 1996

**International Bar Association Award**
For exceptional skills in organizing the IBA Regional Conference on Human Rights 1995

**Recognition of devoted and valuable services**
To the Southern University Law Centre USA-Student Bar Association 1994

**Certificate of Vocational Excellence**
In recognition of exemplary contribution to the promotion of justice in Uganda 1994

## SUMMARY OF OUTSTANDING ACHIEVEMENTS

- Prior to serving as *ad litem* Judge with the UNICTR, served as a Judge of the East African Court of Justice, a supranational court, and as Judge of the High Court of Uganda.

- Founded and/or chaired and served in a number of non-profit Non-Governmental Organizations (NGOs) internationally, regionally and nationally and have won a number of awards in their service. Issues covered by these NGOs include constitutional development, governance, empowerment and human rights issues.

- Human Rights Trainer with the Jurisprudence of Equality Project of the International Association of Women Judges

- Active member of the International Commission of Jurists, the International Association of Women Judges and the African Centre for Democracy and Human Rights.

## Statement of Suitability of Judge Solomy Balungi Bossa for nomination and election to the post of Judge on the International Residual Mechanism of the Criminal Tribunals

The United Nations International Criminal Tribunals for Rwanda (UNICTR) and the former Yugoslavia (UNICTY) are winding up their work. The UNICTR trials at the first instance are scheduled to close by July 2012. The UNICTY trials at the first instance will close in 2013. In their place will be established the International Residual Mechanism for Criminal Tribunals (the Mechanism) to finalize all trials and deal with all outstanding issues. The Mechanism for the UNICTR is scheduled to open by the end of July 2012.

The Statute of the Mechanism annexed to Security Council resolution 1966 (2010) of December 2010 requires that 25 independent judges be elected to the Mechanism, not more than two of whom may be nationals of the same state.

I have been serving as ad litem Judge on the United Nations International Criminal Tribunal for Rwanda (UNICTR) since August 2003 to date. I have so far tried eleven accused persons and handled other cases at pre-trial stage. My record at present speaks to 14 years of judicial practice and experience at the national, supra national and international level.

I was first appointed Judge to the High Court of Uganda in 1997. In 2003, I was appointed Judge to the East African Court of Justice for a five year term which expired in 2006.

Before my appointment to the Bench in Uganda, I was employed as a Law lecturer at the Uganda Law Development Centre, an institution that is responsible for training and preparing lawyers for the bar. I served in this capacity and as a law reporter until my appointment to the Uganda High Court Bench. In 1988, I started practising law alongside my duties as a law teacher/law reporter until my appointment to the Uganda High Court Bench.

Over my 14-year judicial carrier, 8 of which have been served with the UNICTR, I have received substantial continuing legal and judicial education training, spanning and including many issues on international criminal law and international criminal tribunals. I have further been exposed to and adjudicated on procedural and substantive issues of international criminal law, international human rights law, international humanitarian law, international law as well as international judicial administration.

My combined experience and exposure places me in a unique position, giving me a competitive edge for election, if I am nominated for the post of judge on the Mechanism.

Dated August 11, 2011

Signed by

**Solomy Balungi Bossa**

# JUSTICE LOMBE PHYLLIS CHIBESAKUNDA
# JUDGE OF THE SUPREME COURT
# OF
# THE REPUBLIC OF ZAMBIA

## INTRODUCTION

Justice Lombe Phyllis Chibesakunda, is currently Supreme Court Judge in Zambia .

Prior to this appointment, she was the Chairperson of the Permanent Human Rights Commission. Notable achievements in her illustrious career include qualifying as the first Zambian female lawyer in 1969, the first female Solicitor General in Zambia in 1973 following election as Member of Parliament in the Zambian Parliament.

Justice Chibesakunda, the first Zambian Ambassador to Japan was High Commissioner to the United Kingdom (UK), as well as Ambassador to the Holy See and the Netherlands, on a non-residential basis. She is an ardent advocate of International Peace and Human Rights, and has headed various Zambian delegations to international conventions on crime prevention and rehabilitation of offenders.

She is a mother of one son and four grandchildren.

## EDUCATION

- Primary school in Chinsali in the Northern Province of Zambia. Secondary school at Chipembi Girls High School ('O' Levels). Jean Raine School in Lusaka ('A' Levels).
- 1969 - Barrister at Law degree, Grays Inn, London, United Kingdom.
- 1991 - Post-graduate Diploma in International Law at Australia National University, Canberra, Australia.

## PROFESSIONAL APPOINTMENTS

- 1969 State Attorney in the Directorate of Public Prosecutions Chambers Ministry of Legal Affairs (now known as the Ministry of Justice)
- 1971 Private practice with law firm Jacques & Partners.
- 1973 Elected as a Member of Parliament for Matero Constituency.
- 1973 First female Solicitor General in Zambia.
- 1974 Deputy Minister of Legal Affairs.

- 1975 First Zambian Ambassador to Japan.
- 1997 High Commissioner to the United Kingdom,
  Non-Resident Ambassador to the Holy See and Netherlands.
- 1982 High Court Judge.
- 1982 Chairperson of the Industrial Relations Court.
- 1994 Judge-in-Charge of the Copperbelt, Luapula, Northern and Northwestern Provinces.
- 1997 Supreme Court Judge.
- 1997 Chairperson of the Permanent Human Rights Commission.
- 1997 Judge on the Administrative Tribunal of the African Development Bank (ADB).
- 2005 Appointed Vice President of the Administrative Tribunal of the African Development Bank.
- 2005 Appointed Chairperson on external examinations of the Zambia Institute of Advanced Education Legal Education (ZIALE).

**WORK EXPERIENCE**

Directorate of Public Prosecutions (DPP)
As a State Attorney, engaged in the prosecution of all types of criminal cases and prosecuted very high profiled cases. Assessed evidence on pre-trial and advised police officers on investigations, thus gaining familiarity with pre-trial procedures.

Jacques & Partners
Handled some pro-bono cases, protection of Human Rights disputes and dealt with sentencing.

Member of Parliament (MP)
Participated in legislation.

Solicitor General
Assisted the Attorney General as legal advisor to the Government of the Republic of Zambia on issues relating to legislation and other government policies. Responsible for drafting laws relating to legal training, disputes in domestic violence and protection of widows. Participated in high profile Government litigation as well as international Governmental negotiations.

Diplomatic Service
As an Ambassador and High Commissioner, key responsibilities included focus on inter-governmental negotiations particularly in monitoring and promoting relations between Zambia and Japan, the United Kingdom, the Holy See and the Netherlands.

Was instrumental in the establishment of Southern African Development Commission (SADC).

Attended Lome Conventions.

Took part in negotiations of the Law of the Sea and was one of the main organisers in the Lancaster Talks in 1979 which gave birth to Zimbabwe as a Sovereign State in 1990.

Took part in several Commonwealth Heads of Governments (COHGM) meetings. Campaigned for the end of apartheid in South Africa.

Supreme Court
As a Supreme Court Judge, priorities include litigation of civil, criminal and commercial matters. This is the court of last resort and deals Appeals from all the lower courts as well as with sentencing policies. It also handles Constitutional issues, Presidential Elections as a court of first instance as well as Parliamentary election petitions appeals.

Permanent Human Rights Commission
As Chairperson, visited most prisons in Zambia, assessing the impact of punishment and monitoring and ensuring that all suspects were brought to court, and treated humanely. Took part in the drafting of all UN reports, which Zambia is obliged to report on the observance of International instruments that Zambia has ratified. Handled complaints from a cross-section of Zambians on the suspected breaches of Human Rights against Government and individuals.

Industrial Relations Court
As a Judge in the Industrial Relations Court, dealt with International Labour laws, domestic disputes between employers and employees and indigent litigant's employers. This is a court of substantial justice.

High Court
As a High Court Judge, dealt with litigation, criminal and civil cases. With criminal trials, had to assess evidence and balance the interest of suspects to ensure a fair trial. Appointed as Judge-in-Charge for Lusaka - this entailed monitoring of movement of cases amongst Judges, ensuring that there was justice was not delayed. Liaised with all stakeholders including police and prison authorities, making sure that the suspects were fairly treated and supervised magistrates in their administration of justice.

Copperbelt, Luapula, Northern and Northwestern Provinces Court Circuit
As Judge-in-Charge of the Copperbelt, Luapula, Northern and Northwestern Provinces, responsible in ensuring a smooth running of all court operations, ensuring that all suspects were treated fairly and liaising with all stakeholders and supervising magistrates in their administration of justice.

African Development Bank (ADB) Administrative Tribunal
Presently serving as a Judge to the African Development Bank Administrative Tribunal, handling all disputes between African Development Bank and its employees. Responsibilities also include adjudicating all disputes in accordance with the international administrative law.

As current Vice President of the ADB Administrative Tribunal, responsibility entails stepping in for the President when appropriate, i.e. presiding over all cases and administrative activities.

Zambia Institute of Advanced Legal Education (ZIALE)
Oversee the assessment of external examinations administered by ZIALE, as a law institution in charge of training lawyers before being called to the bar.

Other Professional work
Have participated in several UN conferences on Gender, International Peace, and Law of the Sea as the chief delegate including the Lome III negotiations in Geneva. Actively involved in the drafting of the Rules of Procedures of the African Court of Justice.

As a distinguished lawyer and activist in Human Rights and Gender, Judge chibesakunda has presented numerous papers on varied topics including North to South Dialogue, Lome Negotiations, Apartheid, Zimbabwean Liberation and the Non-alignment Movement.

**OTHER CONTRIBUTIONS**

| | |
|---|---|
| 1974 - 1979 | Leader of a delegation to the Law of the Sea conferences hosted in Canada, Geneva Switzerland, New York USA, Kampala Uganda and Caracas Venezuela. |
| 1974 - 1975 | Head of delegation to conferences on Crime Prevention and Rehabilitation of Offenders conferences in Geneva Switzerland and New York USA. |
| 1976 | Participated in the Lome III Negotiations in Geneva Switzerland. |
| 1979 | Member of Senior Government Officials Preparatory Meeting of the Commonwealth Member States in Kuala Lumpur Malaysia. |
| 1979 | Senior Government Official at the Commonwealth Heads of States Meeting in Lusaka Zambia. |
| 1979 | As Zambian High Commissioner to the United Kingdom, accompanied HRH Queen Elizabeth to the Commonwealth Heads of State Meeting in Lusaka Zambia. |
| 1979-1980 | Actively participated in the Lancaster Talks, which resulted in the agreement for the attainment of independence for Zimbabwe in London United Kingdom. |

| | |
|---|---|
| 1980 | Part of the Steering Committee to create SADC in London UK |
| 1980 | Part of first ever SADC committee to mobilize donor support Maputo Mozambique. |
| 1984-1988 | Chief Delegate to the United Nations Commission on the Status of Women in Vienna Austria. |
| 1985 | Participated in the United Nations Decade on Women Conference in Nairobi Kenya. |
| 1985 | Contested the position of Secretary General of the Pan-African Organization for Women in Luanda Angola. |
| 1986 | Chairperson of Nuclear Disarmament Conference in Moscow Russia |
| 1988 | Attended a course on Human Rights at Lund University in Sweden. |
| 2000 | Attended the Human Rights Symposium in Beijing China. |
| 2003 | Attended the United Nations Regional Meetings on the Applicability of International Instruments in Domestic Courts, Arusha Tanzania, and Kasane Botswana. |
| 2003 | Appointed to the United Nations Task Force on Women, Girls and HIV/AIDS. |
| 2006 | Attended the United Nations Regional Meeting on Applicability of International Instruments in Domestic Courts in Nairobi, Kenya |

**PAPERS PRESENTED**

| | |
|---|---|
| 1975 | *Landlocked Countries - The need of Law of the Sea.* |
| 1979 | *Need for Zimbabwe to be independent.* |
| 1979 | *North - South Dialogue.* |
| 1979 | *Apartheid.* |
| 1984-1988 | *Domestic Violence, Empowerment of Women.* |
| 1986-1987 | *The Future of Non-alignment.* |

| | |
|---|---|
| 1987 | *Role of NGOs.* |
| 1993 | *Independence of the Judiciary.* |
| 1997 | *The Role of Permanent Human Rights Commission in Democratic Development in Zambia.* |
| 1998 | *The Growth of Human Rights in Zambia.* |
| 1999 | *Criminal Justice relating to Refugees (special explanation on state interests).* |
| 1980 | *Fluctuating Copper Prices.* |
| 2004 | *Keynote Speaker at the 40th anniversary of Zambian Independence, Amsterdam, Holland.* |

## ASSOCIATIONS AND SOCIETIES

| | |
|---|---|
| 1970-1973 | Chairperson, Social Action Programme in Lusaka - a non governmental organisation. |
| 1979 | Link - a non governmental organisation fostering North to South co-operation. |
| 1979 | Member of the shadow Board of Standard Bank of South Africa (aimed at discouraging investment in South Africa due to apartheid). |
| 1994-1997 | Rotary Club Ndola. |
| 1994-1997 | International Association of Women Judges. |
| 2005 to date | President of Zambia Association of Women Judges. |

## HONOURS AND AWARDS

| | |
|---|---|
| 1980 | The Pope Pius XIII Award presented by Pope John Paul II. |
| 1996 | Patron of the Medical Women Association of Zambia (MWAZ). |
| 1998 | Woman of the Year. (TBA) |
| 1999 | Ambassador of Peace. (TBA) |
| 2000 | Nominated (TBA) as one of the 500 Eminent Persons at the beginning of the 21st century. |
| 2000 | Patron of the Dental Association of Zambia. |

## MAJOR STRENGTHS

1. Ardent advocate for mobilization of gender equality at global, national and community levels.
2. Strong advocate on social justice, international peace and inter-dependence of nations and international justice.
3. Communicator and Promoter of co-operation between developed and less developed countries.
4. As an African, a strong promoter of the core values of United Nations, as articulated in the preamble of the Rome Statute of International Criminal Court.
5. Committed and able to achieve deliverables under pressure.

## PROFESSIONAL INTERESTS

Criminal law litigation interfaced with international human rights law principles with emphasis on appellate and final pronouncements.

## PERSONAL INTERESTS

Reading, entertaining and participating in topical debates.

## CONTACT DETAILS

| Telephone Numbers | |
|---|---|
| Home | 0026 0211 262016 |
| Work | 0026 0211 257670 |
| Mobile | 0026 0968 399720 |

Mailing Address:
Supreme Court of Zambia
P O Box 50067
LUSAKA 10101

Residential Address:
Plot 8455
Chila Road
Sunningdale
LUSAKA

# CURRICULUM VITAE

| | |
|---|---|
| Name: | Ivo Nelson de Caires Batista Rosa |
| Date of birth: | 17/09/1966 |
| Nationality: | Portuguese |
| Marital Status: | Single |
| Private address: | Praça Luís de Camões nº 28, 2º A<br>PT - 1200-243 Lisbon |
| E-mail address: | ivorosa1966@hotmail.com |
| Mobile Phone: | + 351963039748 |

**Education and Training**

| | |
|---|---|
| Ano 1985 - 1990 | - ***Licenciatura em Direito*** **(Law high degree)**<br>- Faculty of Law, University of Coimbra |
| 1990/1991 | - Legal traineeship in/by lawyer society at Lisbon |
| 1991/1993 | -Traineeship as legal judge,<br>- Centre of Judicial Studies, Lisbon |

**From March 2010** -Mentor Judge at the Centre of Judicial Studies for the programme PAOSED for Guinea-Bissau.

**Tasks:**

-Training in the area of criminal law.

**From Octobre 2010** -Judicial coordinator and mentor for a traineeship in Portugal, aimed at judges from Timor-Leste

**From March 2009** - Judge specialised in criminal law in Lisbon.

**Tasks:**

- Presiding over trials of criminal nature where the sentence would be over five years of prison;
- Rendering decisions;
- Presiding over trials of a military nature.

**From 31st August 2009 to 12th September 2009**

- Mentor Judge for penal law on the programme PAOSED – training magistrates from Guinea-Bissau.

**From 1st January 2008 to 10th March 2009**

- Mentor Judge for judges from Timor-Leste (Second course in Timor-Leste)

**From 22nd August 2008 to 18th November 2008**

Interim President of the Court of Appeal in Timor-Leste.

**From 23rd May 2008 to 11th March 2009**

- Judge of Supreme Court in Timor-Leste specialised in judgements in final criminal instance, appeals in relation to civil, administrative, constitutional and electoral matters.
- Deliver opinions on legislative plans and proposals.

**From 11th September 2006 to 22nd May 2008**

- Judge in District Courts of Timor-Leste as part of the programme for reinforcement of the judicial system of the United Nations.
- **Tasks:**
-Judgement on civil, work, family law and administrative trials.
- Presiding over trials of criminal and civil nature.
- Mentor Judge of seven judges from Timor-Leste in the District Court of Dhili.
- Cooperation developed with The Centre for Legal (law) Training in Timor-Leste.

**From 15th September 2005 to 10th September 2006**

- Judge of criminal evidence in The Central Court of Criminal Evidence in Lisbon.

**Tasks:**
- To obtain criminal evidence;
- Jurisdictional functions in relation to investigations in the field of terrorist crime, drug trafficking, money laundering, corruption, economic and financial crimes, both at national

and international level.

**From September 2003 to September 2005**

- Judge specialised in criminal and civil law in Lisbon Courts.

**Tasks:**

- Presiding over trials of criminal nature where the sentence would be over five years of prison;
- Rendering decisions;
- Presiding over trials of civil nature and delivering final decisions.

**From September 2002 to September 2003**

- Judge of Family Court and of Civil Court in Lisbon.

**Tasks:**

- Preparing and proceeding to judgements on family (minors included) trials
- Presiding over trials of civil nature and delivering final decisions.

**From September 2000 to September 2002**

- Judge of Civil and Criminal Court of Funchal.

**Tasks:**

- Presiding over trials of criminal nature where the sentence would be over five years of prison;
- Rendering decisions.
- Presiding over trials of civil nature and delivering final decisions.

**From September 1999 to September 2000**

- Judge of Civil Court in Lisbon.

**Tasks:**

- Presiding over trials of civil and commercial nature and delivering final decisions.

**From September 1997 to September 1999**

- Judge of Employment Tribunal in Funchal.

**Tasks:**

- Presiding over trials of labour nature and delivering final decisions.

**From 1993**

- Judge of Court of Generic Competences.

**Tasks:**

- Preparing and presiding over trials of criminal, civil and family nature and delivering its decisions.
- Criminal evidence.

**1990/1991** - Legal Advisor for the City Council of Funchal.

**Tasks:**

- Delivering decisions in administrative law matters.
- Instructing labour disputes on grounds of discipline.
- Traineeship as Lawyer.

**Personal and technical skills and competences:**

Good knowledge of Microsoft Office (Outlook, Word, Excel, Power Point), Internet and e-mail user.

Ability to adapt to other cultures or multi-cultural environments.

Good communication and inter-personal skills with others both at work and at a social level.

Good knowledge of written and spoken English and French languages.

Mother tongue: Portuguese.

**Family name:** **DE PRADA SOLAESA**

**First names:** **José Ricardo**

**Nationality:** **Spanish**

**Date of birth:** **-- /10/1957**

**e-mail:** jr.prada@an.mju.es // jrj.prada@gmail.com

**Address: C/ García Gutiérrez 1-6º; 28004 Madrid; Spain**

**Phone: +34 91 3973263; Fax +34 913973268; Cell +34 662453124**

## 1. EDUCATION: A) ACADEMIC QUALIFICATIONS:

- 1975 – 1980. Law degree (5 years of study) Complutense University of Madrid. Madrid.
- 1987. Diploma of the Institute of Human Rights of Strasbourg.
- 2008 – 2011. Doctorate studies on International Criminal Law. Instituto Universitario Gutiérrez Mellado. UNED.

### B) ADDITIONAL STUDIES:

- 1982-1985. Access Course for the Spanish judicial career.
- 1985-1986. Initial training course for Judges in the Spanish School for Judges-
- 1993 and 1996. Study stages in the European Commission of Human Rights (European Council) in Strasbourg.
- Several additional training courses for Judges -School for Judges-
- 2005-2008 Several training courses for Judges in the Court of Bosnia Herzegovina (War crimes, International Humanitarian Law, witnesses' protection, etc).

## 2. OTHERS SKILLS

### A) Language skills:

- Spanish: Mother tongue
- English: Advanced
- French: Advanced
- Servo-Croatian: Basic knowledge.

**B) Computer skills:** Wide knowledge in Operative systems (Windows 7/VISTA/ XP/ME/98/95/2000/NT, Windows 3.11, MS-DOS, OS, LINUX), Computer packages: Excel, Access, Word, WordPerfect, PowerPoint, Acrobat, Draw, etc.; Data Basis: International jurisprudence, International Law, International Treaties, etc. (NU, ICTY, ICTR, HUDOC, etc.); Internet and Communications (IE, Outlook, Outlook Express, etc) and Network.

## 3. PRESENT POSITION:

**From 1990 up to day. Senior Judge** (*Magistrado*) **in the Criminal Division of the National Court** (Sala de lo Penal de la Audiencia Nacional*).

*The Criminal Division of the Spanish National Court is a Criminal Court specialized in the investigation [6 Investigating Judges], trial and appeal [4 panels] of serious organized crimes, International Law Crimes (genocide, war crimes, crimes against humanity and international jurisdiction) terrorist crimes, and highly dangerous corruption crimes with competence in the whole country.

## 4. W ORK EXPERIENCE:

- **1981-1985. Lawyer** (Bar of Madrid "Ilustre Colegio de Abogados de Madrid")
- **1986- 2011. Spanish Judiciary organization (25 years as a judge):**
    - **1986-1988. Judge** (Judge by contest in 1986. Promoted to the high-ranking professional category of *"Magistrado" (senior judge)* in 1988).
    - **1988-2011. Senior national and international judge.**
        - **1990- 2005. Senior Judge** in the **Criminal Division of the National Court** (Trial and Appellate Panel).
        - **2005-2007. International judge. Court of Bosnia and Herzegovina (Judge in the Appellate Division of the Chamber for War Crimes. State Court of BiH).** Appointed in 2005 by the High Representative. (Annex 10: Agreement on Civilian Implementation of the Peace Settlement - Dayton Peace Agreement-).
          http://www.ohr.int/decisions/judicialrdec/default.asp?content_id=34117
        - **2007- 2011. Senior Judge** in the **Criminal Division of the National Court** (Trial and Appellate Panel).

## 5. ACADEMIA

- Director and lecturer of the Course on the practical procedural aspects of the Spanish and International case-law. Universidad Autónoma de Madrid and European Social Fund, 1994-1996.
- External guest lecturer in many Spanish and Latin-American universities.

## 6. CONFERENCES AND LECTURES:

I have presented many lectures in various Spanish and foreign countries in public and private institutions on various subjects related to my professional and academic activity.

## 7. PUBLICATIONS:

- I have published numerous works on different aspects of the criminal procedural law and criminal substantive law, especially on International Criminal Law and International protection of Human Rights:
    - The application of the International Law for local judges. Pending publication.
    - Wikileaks Cables. Mars 2011.
    - Transitional justice in Colombia: Five years of the Justice and Peace Law. December 2010.
    - Contributions of the International Criminal Tribunal for the former Yugoslavia to the Balkans peace. November 2010.
    - Women, Peace and Security. July 2009
    - War Crimes against women in Bosnia Herzegovina (1992-1995).March 2007.
    - War Crimes in Bosnia Herzegovina. Peace mechanisms. The International Criminal Tribunal for the former Yugoslavia and the War Chamber of the Court of Bosnia Herzegovina. December 2005.
    - The European Arrest Warrant (EAW). Madrid. 2005.
    - The legal sanction regime related to the fight against clandestine immigration and traffic of human beings. March 2002.
    - New judicial cooperation techniques regulated in the European Union Convention on judicial assistance in criminal matters and the United Nations Convention against transnational organized crime (Palermo Convention). Madrid 2001.
    - The Criminal Verdict. Tegucigalpa. April 2001
    - The new Penal Procedure Code and the guarantee system of the San José Pact (also ECHR and UN system). Tegucigalpa. April 2001.

- Commented Honduras Penal Procedure Code. Judicial Independence. Tegucigalpa. September 2000.
- New Criminal Procedural Code in Costa Rica. November 1997.
- Crimes related to terrorism in the Penal Code of 1995. March 1996.
- Criminal trial systems in Europe. Barcelona. 1998.
- Verdicts of the European Court of Human Rights - Valenzuela Contreras and Castillo Algar versus Spain. March 1999.
- Case-law of the Organisms of the European Convention of Human Rights related to foreigners. Madrid. 1994.
- Human Rights and home and justice policy. Madrid .1995.

## 8. AWARDS:

- 2007 HUMAN RIGHT NATIONAL AWARD given by Spanish Human Right Association (APDH).

## 9. KEY QUALIFICATIONS:

- **Professional experience as national and international judge in the application of International Criminal Law and International Humanitarian Law (investigation, trial and appeal) to International Crimes:** genocide, crimes against humanity, war crimes and international jurisdiction. Reporting judge in the *Scilingo case* (2005), referred to Crimes against humanity during the Argentina dictatorship. http://www.exdesaparecidos.org.ar/sentenciascilingo.doc

- Professional experience as expert in cooperation programs with Latin American, north African and east European countries for improvement, strengthening and adaptation of legal framework, judiciary system and practices, to the International legal standards for the Protection of Human Rights and Fundamental Freedoms (Colombia, Honduras, Costa Rica, Algeria, Rumania).

- Professional experience as expert on International criminal law standards in the transitional justice process in Colombia (UE program on "Justicia y Paz" process).

- Investigation and teaching about criminal matters, specially in International Criminal Law, International Humanitarian Law, Gender violence and International protection in Human Right and Fundamental Freedoms, International Tribunals and International jurisdiction.

August 2011

1. **Family name:** Delgado Cánovas
2. **First names:** Juan Bautista
3. **Date of birth:** 02/08/1966
4. **Nationality:** Spanish
5. **Civil status:** Married. 1 son.

## EDUCATION

| | |
|---|---|
| *Institution:* | UNIVERSIDAD DE MURCIA (SPAIN) |
| *Date:* | 1984-1990 |
| *Degree(s) or Diploma(s):* | DEGREE IN LAW |

| | |
|---|---|
| *Institution:* | UNIVERSIDAD DE MURCIA (SPAIN) |
| *Date:* | 1992-1996 |
| *Degree(s) or Diploma(s):* | Ph.D. LAW (INTERNATIONAL CRIMINAL LAW) |

| | |
|---|---|
| *Institution:* | UNIVERSITE LIBRE DE BRUXELLES |
| *Date:* | 2000-2001 |
| *Degree(s) or Diploma(s):* | POST-GRADUATE DEGREE IN COMPARATIVE LAW |

| | |
|---|---|
| *Institution:* | UNIVERSITE LIBRE DE BRUXELLES |
| *Date:* | 2000-2001 |
| *Degree(s) or Diploma(s):* | POST-GRADUATE DEGREE IN INTERNATIONAL POLITICS |

| | |
|---|---|
| *Institution:* | UNIVERSITY OF LONDON (LONDON SCHOOL OF ECONOMICS) |
| *Date:* | 1998-2000 |
| *Degree(s) or Diploma(s):* | BSc. ECONOMICS |

**Language skills:** Indicate competence on a scale of 1 to 5 (1 - excellent; 5 - basic).

| Language | Reading | Speaking | Writing |
|---|---|---|---|
| Spanish | Mother Tongue | Mother Tongue | Mother Tongue |
| English | 5 | 5 | 5 |
| French | 5 | 5 | 5 |
| Portuguese | 4 | 2 | 2 |
| Hebrew | 3 | 2 | 1 |
| Serb-Croat- | 1 | 1 | 1 |

| | | | |
|---|---|---|---|
| Bosnian | | | |

**Membership of professional bodies:** Spanish Judiciary.

**Other skills:** Skills in Word and Internet.

**Present position:** Senior Judge. Legal Officer in the Criminal Division of the Supreme Court, Madrid, Spain.

**Years within the firm:** 9.

**Professional experience**

| | |
|---|---|
| *Date: from (year) to (year)* | 1985-1986 |
| *Location:* | Madrid |
| *Company:* | Bank of Spain |
| *Position:* | Research Assistant |

| | |
|---|---|
| *Date: from (year) to (year)* | 1990-2002 |
| *Location:* | Lorca (Murcia) Spain |
| *Company:* | |
| *Position:* | Criminal Law Solicitor |

| | |
|---|---|
| *Date: from (year) to (year)* | 1994-1996 |
| *Location:* | Murcia (Spain) |
| *Company:* | University of Murcia, School of Law, Murcia (Spain) |
| *Position:* | Junior Lecturer |

| | |
|---|---|
| *Date: from (year) to (year)* | 1998-2001 |
| *Location:* | Murcia (Spain) |
| *Company:* | Open University, Spain |
| *Position:* | Tutor (Criminal and Public International Law) |

| | |
|---|---|
| *Date: from (year) to (year)* | 2000-2001 |
| *Location:* | Kosovo |
| *Company:* | United Nations Mission in Kosovo |
| *Position:* | Legal Officer |

| | |
|---|---|
| *Date: from (year) to (year)* | 2002-2004 |

| | |
|---|---|
| *Location:* | Bilbao (Spain) |
| *Company:* | Spanish General Council of the Judiciary |
| *Position:* | Senior Judge |
| *Description:* | Investigating Judge |

| | |
|---|---|
| *Date: from (year) to (year)* | 2004-2005 |
| *Location:* | Reus (Tarragona) Spain |
| *Company:* | Spanish General Council of the Judiciary |
| *Position:* | Senior Judge |
| *Description:* | Adjudicating Judge |

| | |
|---|---|
| *Date: from (year) to (year)* | 2005-2010 |
| *Location:* | Alcalá de Henares (Madrid) Spain |
| *Company:* | Spanish General Council of the Judiciary |
| *Position:* | Senior Judge |
| *Description:* | Adjudicating Judge |

| | |
|---|---|
| *Date: from (year) to (year)* | 2010- |
| *Location:* | Madrid-Spain |
| *Company:* | Spanish General Council of the Judiciary |
| *Position:* | Senior Judge |
| *Description:* | Adjudicating Judge |

| | |
|---|---|
| *Date: from (year) to (year)* | 2005- |
| *Location:* | Madrid (Spain) |
| *Company:* | Supreme Court, Criminal Division |
| *Position:* | Legal Assistant |
| *Description:* | Legal Assistance |

## Other relevant information

### *Professional*

- Short-Term expert of the European Union programme in Romania "Twinning R 04/IB/JH/09: An Interinstitutionnal Approach to Fighting Organized Crime" on the following topics: "Criminal Intelligence Analysis on Organized Crime", "Fight against Terrorism and Organized Crime" and "Fight against Money Laundering", January, April and June 2007..

- Short-Term expert of the United Nations Office on Drugs and Crime in Venezuela in a programme of training of Judges on Money Laundering.

- Member of the Spanish Delegation on the Rome International Conference on Rule of Law in Afghanistan organized by the Italian Government, 2-3 July 2007.

- Visiting Lecturer in the University of Chile on seminars on Money Laundering.

***Books and Review Articles***

- "Analysis of the establishment of the International Criminal Tribunal for the Former Yugoslavia", Comares Publishers, Granada, Spain, 197 pages.
- "Applicable Law in the International Criminal Tribunal for the Former Yugoslavia"", Comares Publishers, Granada, Spain, 197 pages.
- "Structure and Nature of the International Criminal Tribunal for the Former Yugoslavia"", Comares Publishers, Granada, Spain, 67 pages.
- "The International Criminal Tribunal for the Former Yugoslavia: A failure of the Collective Security System of the United Nations?", *Revista Jurídica del Centro de Estudiantes de la Universidad Católica "Nuestra Señora De La Asunción", Asunción (Paraguay)*, Vol. 1994, pp. 269-278 y en *Anales de Derecho de la Universidad de Murcia*, Vol. 12-I, año 1995, pp. 47-58.
- "Principals and Accesories in English Criminal Law", *Circunstancia: revista de ciencias sociales del Instituto Universitario de Investigación Ortega y Gasset*, ISSN 1696-1277, Nº. 16, 2008.
- "From Ostracism to a Leading Role -Spain's Foreign Policy Towards the Middle East Since 1939", en *Palestine and International Law. Essays on Politics and Economics* (Sandford R. Silverburg, ed.), McFarland&Company, Inc., Publishers, North Carolina&London, pp. 290-328.

# JUAN ANTONIO DURÁN RAMÍREZ

## I. DATOS PERSONALES.

### 1. Generales.

*Nombre:* Juan Antonio Durán Ramírez.
*Lugar y fecha de nacimiento:* Suchitoto, Cuscatlán, República de El Salvador, 12 de septiembre de 1968.
*Pasaporte:* B-838899.
*Documento Único de Identidad (DUI):* 01860790-5
*Número de Identificación Tributaria:* 0715-120968-001-8.
*Número Único Previsional:* 250912420008.
*Número de afiliación del Instituto Salvadoreño del Seguro Social:* 387682457.

### 2. Localización particular.

*Dirección particular:* Residencial Valparaíso Poniente, casa No. 17, Boulevard Constitución y final Pasaje Rivas, San Salvador, República de El Salvador.
*Casa: 2262-0652*
*Celular:* 7887-9563 y 7989-8481.
*E-mail:* tonyduransv@yahoo.com

### 3. Localización laboral.

*Nombre de la Institución:* Tribunal de Sentencia de Chalatenango, Órgano Judicial
*Cargo:* Juez propietario, segundo vocal
*Dirección del trabajo:* 1ª Calle Poniente y 2ª Av. Norte, Barrio El Centro, Chalatenango.
*Teléfono:* (503) 2301-2588; *Telefax:* (503) 2335-2390.

Actualmente supliendo en:
*Nombre de la Institución:* Tribunal Tercero de Sentencia de San Salvador, Órgano Judicial
*Cargo:* Juez suplente, segundo vocal
*Dirección del trabajo:* Centro Integrado de Justicia Penal, Centro Judicial "Isidro Menéndez", Boulevard Tutunichapa, San Salvador.
*Teléfono:* (503) 2231-8610; *Telefax:* (503) 2231-8621.

## II. FORMACIÓN ACADÉMICA.

### 1. Estudios de Grado.

**Licenciado en Ciencias Jurídicas**
*Institución de estudios:* Universidad Centroamericana "José Simeón Cañas", U.C.A.
*Lugar:* Antiguo Cuscatlán, La Libertad, El Salvador.
*Período de estudios:* De marzo de 1987 a septiembre de 1992.
*Fecha de graduación:* 26 de septiembre de 1992
*Título obtenido:* Licenciado en Ciencias Jurídicas.

**2. Estudios Post-Grado.**

***2.1 Maestría en Administración de Justicia Penal, Enfoque Socio-Jurídico.***

*Institución de estudios:* Universidad Nacional de Costa Rica.

*Lugar:* Heredia, Costa Rica.

*Período de estudios:* De 23 de septiembre de 2006 a 18 de diciembre de 2006.

*Fecha de graduación:* 30 de agosto de 2001.

*Título obtenido:* Maestro en Administuación de Justicia Penal, Enfoque Socio-Jurídico.

***2.2 Especialista en Administración de Justicia Penal***

*Institución de estudios:* Universidad Nacional de Costa Rica.

*Lugar:* Heredia, Costa Rica.

*Período de estudios:* De 6 marzo de 2000 a 28 de febrero de 2001.

*Fecha de graduación:* 30 de agosto de 2001.

*Título obtenido:* Especialista en Administración de Justicia Penal, Enfoque Socio-Jurídico.

***2.3 Especialista en Argumentación Jurídica***

*Institución de estudios:* Universidad de Alicante, España.

*Lugar:* Facultad de Filosofía del Derecho y Derecho Internacional Privado de la Universidad de Alicante, Alicante.

*Período de estudios:*

Fase presencial: Del 18 de mayo de 2005 al 17 de junio de 2005.

Fase de investigación y trabajo escrito: Del 18 de mayo al 18 de octubre de 2005.

*Título obtenido:* Diploma de asistencia a la Especialidad en argumentación jurídica y pendiente resultado de evaluación del trabajo escrito.

**3. Otros Estudios.**

**1. Aprobación del Curso de Extensión Universitaria en Política Criminal**

*Institución*: Departamento de Ciencias Jurídicas de la Universidad Centroamericana "José Simeón Cañas".

*Lugares*: San Salvador, El Salvador.

*Período*: Del 23 de noviembre al 24 de diciembre de 2009.

**2. Asistente a evento "Intercambio de experiencias judiciales"**

*Institución*: Instituciones Estatales y Federales del Sector Justicia Estadounidense, Embajada Americana en El Salvador.

*Lugares*: Jacksonville, Florida.

*Período*: Del 11 al 14 de septiembre de 2006.

**3. Asistente al XXII Congreso mundial de Filosofía del Derecho y Filosofía Social**

*Institución:* Sociedad Internacional de Filosofía del derecho y Filosofía Social-Universidad de Granada, España.

*Lugar:* Granada, España.

*Fecha:* Del 22 al 29 de mayo de 2005.

**4. Pasantía en Tribunal de Casación Penal**
*Institución de estudios:* Universidad Nacional de Costa Rica / Corte Suprema de Justicia de Costa Rica.
*Lugar:* Tribunal de Casación Penal, Segundo Circuito Judicial de Goicoechea, San José, Costa Rica.
*Período de estudios:* Del 11 de noviembre de 2000 al 24 de febrero de 2001.

**5. Asistente al Curso sobre "Problemas actuales de la teoría del delito."**
*Institución de estudios:* Universidad de Salamanca, VII Cursos libres de Postgrado.
*Lugar:* Salamanca, España.
*Período de estudios:* Del 10 al 27 de enero de 2000.
*Título obtenido:* Diploma de participación.

**6. Asistente del Ciclo de Conferencias con Letrados del Tribunal Constitucional.**
*Institución:* Tribunal Constitucional Español.
*Lugar:* Madrid, España.
*Período:* Del 13 al 15 de octubre de 1999.

**7. Asistente del Curso de Perfeccionamiento en Derecho Constitucional.**
*Institución:* Universidad Carlos III de Madrid, Facultad de Derecho Dr. Manuel García Pelayo (Proyecto para el Fortalecimiento de la Justicia y la Cultura Constitucional en la República de El Salvador", Unión Europea-CSJ).
*Lugar:* Madrid, España.
*Período:* Del 20 de septiembre al 07 de octubre de 1999.

**8. Aprobación del XXV Curso de Derecho Internacional.**
*Institución de estudios:* Fundación Getulio Vargas y Comité Jurídico Interamericano de la Organización de Estados Americanos (O.E.A.)
*Lugar:* Río de Janeiro, Brasil.
*Período de estudios:* Del 03 al 25 de agosto de 1998.
*Título obtenido:* Diploma de aprobación.

**9. Asistente a la Misión de Observación sobre el Juicio Oral en Puerto Rico.**
*Institución:* Circuito Judicial de San Juan, Puerto Rico (ECJ/PNUD/AID/CSJ)
*Lugar:* San Juan, Puerto Rico, E.L.A.
*Período:* Del 17 al 24 de abril de 1998.

**10. Asistente a gira de observación "La Administración de Justicia y el Estado de Derecho"**
*Institución:* Instituciones Estatales y Federales del Sector Justicia Estadounidense, auspiciado por United States Information Agency (USIA), E.U.
*Lugares:* Washington, D.C.; Hartford, Connecticut; Chicago, Illinois; Austin, Texas; San Francisco, California; Reno, Nevada.
*Período:* Del 23 de octubre al 24 de noviembre de 1996.

**11. Asistente al VII Congreso Centroamericano y del Caribe de Derecho Laboral y la Seguridad Social**

*Institución*: Asociación Centroamericana y del Caribe de Derecho Laboral y la Seguridad Social y Asociación Salvadoreña de Derecho del Trabajo
*Lugar*: San Salvador.
*Período*: Del 22 al 26 de julio de 1996.

## III. PUBLICACIONES Y TRABAJOS DE INVESTIGACIÓN.

### 3.1 Publicaciones.

1. *La prueba prohibida en el proceso penal salvadoreño*, artículo publicado en la obra colectiva, *Ensayos doctrinarios del Nuevo Código Procesal Penal*, ARSJ-UTE, San Salvador, 1998, pp. 263-321.
2. *Interpretación Constitucional*, artículo publicado en la obra colectiva *Teoría de la Constitución Salvadoreña*, Proyecto para el Fortalecimiento de la Justicia y Cultura Constitucional en El Salvador, Unión Europea/CSJ, San Salvador, febrero de 2000, pp. 359-425.
3. *Trascendencia constitucional de los actos de comunicación en el proceso penal*, artículo publicado en Revista Justicia de Paz No. 7, Año III, Vol. III, Proyecto de Asistencia Técnica a los Juzgados de Paz, Cooperación Española/CSJ, San Salvador, Septiembre- Diciembre 2000, pp. 245-276.
4. *Las técnicas de interrogatorio en el juicio oral*, artículo publicado en Revista Justicia de Paz No. 9, Proyecto de Asistencia Técnica a los Juzgados de Instrucción y Tribunales de Sentencia, Cooperación Española/CSJ, San Salvador, mayo-agosto 2001, pp. 229-288.
5. *Control sobre las fuentes de riesgo o peligro en el delito imprudente*, Revista Defensa Pública No. 1, Asociación costarricense de la Defensa Pública, Editorial Fundación UNA, San José, Costa Rica, octubre, 2001, pp. 6-21. Y Revista Justicia de Paz No. 13, AECI-CSJ, Antiguo Cuscatlán, La Libertad, septiembre-diciembre 2002.
6. *Delitos informáticos. Nuevas tendencias de la política criminal. Aportes para la crítica de la situación actual de los delitos no convencionales*, en la Revista Justicia de Paz de la Corte Suprema de Justicia, No. 14, AECI-CSJ, San Salvador, diciembre 2002, en coautoría con Mercedes MUÑOZ CAMPOS.
7. *Comentarios a las disposiciones generales de los medios de prueba en el Código Procesal Penal de Costa Rica*, Revista Acta Académica No. 28, Universidad Autónoma de Centro América, San José, Costa Rica en coautoría con J. Federico CAMPOS CALDERÓN.
8. *Código Procesal Penal comentado,* Tomos I y II, en coautoría con José María CASADO PÉREZ, Cesáreo DURO VENTURA, Juan José LÓPEZ ORTEGA, José Manuel MARCO COS, César Ernesto SALAZAR GRANDE y José Luis SEOANE SPIEGELBERG, comentando los arts. 210-A al 210-G y 348 CPP, CSJ y Cooperación Española, San Salvador, 2001.
9. *I Certamen Literario sobre Derecho Constitucional, Penal y Social, en* coautoría con Carlos Rafael Urquilla Bonilla y Rommell Ismael Sandoval Rosales, con el artículo *¿Reviviscencia o no derogatoria? Efecto del control difuso de constitucionalidad y la resolución del caso concreto. Reflexiones en torno a un precedente jurisprudencial salvadoreño;* Comisión Coordinadora del Sector Justicia, 1ª Edición, San Salvador, 2006.

10. *Prueba indiciaria y lavado de activos en el salvador. Reflexiones sobre la jurisprudencia salvadoreña*, 2008, en http://felaban.com/lavado/boletines/boletin_sep08.pdf
11. *¿75 años no es pena perpetua?. Comentarios a la Sentencia de inconstitucionalidad que desestimó la inconstitucionalidad de las penas de larga duración*, Legibus, Revista del Departamento de Ciencias Jurídicas de la Universidad Centroamericana "José Simeón Cañas" (UCA), San Salvador, octubre-diciembre 2008.

**3.2 Trabajos de investigación.**

1. *Breves consideraciones en torno a la nueva Corte Penal Internacional*, trabajo de investigación, monografía inédita, por medio del cual aprobó el "XXV Curso de Derecho Internacional", impartido en Río de Janeiro, Brasil, agosto de 1998.
2. *Medidas cautelares reales y personales en el proceso penal salvadoreño*, trabajo de investigación inédito, ponencia presentada en el Seminario: *La aplicación de medidas cautelares en El Salvador: Una reflexión teórico-práctica de la prisión preventiva*, auspiciado por Programa de Administración de Justicia en Centroamérica y Panamá/CSJ, Hotel Princess, San Salvador, el 16 de julio de 1999.
3. *Consideraciones médico- legales en torno a la posición del imputado como objeto de prueba. Posición del perito ante el dilema ético*, trabajo de investigación, inédito, para el Seminario de Medicina Legal del Posgrado en Administración de Justicia, de manera conjunta con Jazmín RODRIGUEZ (Costa Rica) y Felipe SPEER (Honduras), agosto de 2000.
4. *La valoración de la prueba pericial en un modelo adversativo acusatorio*, ponencia presentada en el Primer Congreso Internacional de Ciencias Forenses El Salvador 2003, auspiciado por la Asociación de Ciencias Forenses de El Salvador (ACFES), la Universidad Francisco Gavidia (UFG) y el Instituto Euroamericano de Ciencias Criminalísticas y Forenses (INECCRIF), en San Salvador, el día 7 de noviembre de 2003.

## IV. EXPERIENCIA DOCENTE.

1. **Profesor** de Derecho Penal y Procesal, en la *Universidad Centroamericana "José Simeón Cañas" (UCA)*, a alumnos de Licenciatura (1992 a 1997), Diplomado y Maestría (2006-2009).
2. **Profesor** en el área penal y procesal penal de la *Academia Nacional de Seguridad Pública*, a aspirantes al nivel básico de la Policía Nacional Civil (1993-1995).
3. **Profesor** de Derecho Internacional Público en la *Universidad de Sonsonate (USO)*, desde 1996 a 1999; de Lógica jurídica, 2006 y 2007; y **Asesor** en el adiestramiento al equipo de la USO participante en el concurso interuniversitario sobre destrezas en litigación oral, convocado por el CNJ durante 2004 y 2007.
4. **Capacitador** en el área procesal penal, *Escuela de Capacitación Judicial*, a jueces, fiscales, defensores públicos y abogados en ejercicio liberal; así como a aspirantes a jueces de paz, instrucción y sentencia (1997-2000); y de la Tercera Promoción del Programa de Formación inicial para Jueces (PFI), en el curso Interpretación y Argumentación Jurídica (2007).
5. **Profesor** de Derecho Político en la *Universidad Dr. José Matías Delgado*, 1999.

6. **Profesor** de la *Universidad Tecnológica (UTEC)*, a alumnos de Licenciatura de Técnicas de Oralidad y Lógica Jurídica (2006-2007); y a egresados en el Seminario de graduación en el área penal y procesal penal (2005-2007).
7. **Profesor** de la *Universidad Gerardo Barrios (UGB)* en Cursos de Diplomado en Derecho Penal, Derecho Procesal Penal y Derecho Probatorio (2007-2008).
8. **Profesor** de Maestría en Derecho Penal Constitucional de la *Universidad de Oriente (UNIVO)* (2009).

## V. EXPERIENCIA PROFESIONAL:

1. **Institución:** Tribunal de Sentencia de San Vicente, Órgano Judicial.
   **Cargo:** Juez.
   **Período de ejercicio:** 20 de abril de 1998 al 1 de junio de 2008.

2. **Institución:** Tribunal Quinto de Sentencia de San Salvador, Órgano Judicial.
   **Cargo:** Juez suplente.
   **Período de ejercicio:** 1 de mayo de 2004 al 12 de julio de 2004; y 1 de septiembre de 2005 a 30 de noviembre de 2006.

3. **Institución:** Consejo Nacional de la Judicatura, (CNJ)
   **Unidad:** Escuela de Capacitación Judicial (ECJ)
   **Cargo:** Coordinador del Programa de Formación Inicial para Jueces (PFI)
   **Dirección del trabajo:** Final Calle Los Abetos No. 8, Colonia San Francisco, San Salvador.
   **Período de ejercicio:** Del 26 de julio de 2001 al 31 de enero de 2003 (Con Licencia de la Corte Suprema de Justicia).

4. **Institución:** Sala de lo Constitucional de la Corte Suprema de Justicia, Órgano Judicial.
   **Cargo:** Secretario.
   **Período de ejercicio:** 01 de febrero de 1996 al 31 de julio de 1997.

5. **Institución:** Sala de lo Constitucional de la Corte Suprema de Justicia, Órgano Judicial.
   **Cargo:** Colaborador Jurídico de la en materia de hábeas corpus e inconstitucionalidades.
   **Período de ejercicio:** 01 de febrero de 1995 al 19 de abril de 1998, excepto el período que fungió de Secretario y ocasionalmente como Juez de Paz suplente.

6. **Institución:** Juzgado Décimo Segundo de Paz de la ciudad de San Salvador.
   **Cargo:** Juez de Paz suplente.
   **Período de ejercicio:** 1997 y 1998, en distintas ocasiones y fechas.

7. **Institución:** Academia Nacional de Seguridad Pública.
   **Cargo:** Profesor del área jurídica materia Derecho Procesal Penal y Leyes Especiales.
   **Período de ejercicio:** junio de 1993 a febrero de 1995.

8. **Institución**: Cámara Tercera de lo Civil de San Salvador.
   **Cargo**: Oficial Mayor.
   **Período**: 02 de enero de 1993 a junio de 1993

9. **Institución**: Juzgados de Paz, Itinerante (en materia penal) y Juzgado Segundo de lo Mercantil de San Salvador.
   **Cargo**: Colaborador jurídico.
   **Período**: junio de 1988 a diciembre de 1992.

## VI. OTROS:

### 6.1. Conferencias impartidas:

1. *Curso de capacitación en materia constitucional para periodistas y voceros institucionales*, Proyecto para el Fortalecimiento de la Justicia y Cultura Constitucional/CSJ, FUSAL, Antiguo Cuscatlán, octubre-noviembre de 1999.
2. *Medidas cautelares reales y personales en el proceso penal*, Seminario impartido juntamente con los profesores Francisco DALL'ANESE RUIZ y José Manuel ARROYO GUTIÉRREZ, auspiciado por el Programa de Estudios y capacitación judicial de Centroamérica y Panamá/CSJ/CNJ/ECJ, Hotel Princess, San Salvador, 16 de julio de 1999.
3. *Fundamentación de la decisión judicial*, Seminario impartido juntamente con los profesores españoles Francisco Javier GARCÍA ROCA y Raúl CANOSA USERA, y el profesor Salvador Héctor SORIANO RODRÍGUEZ, auspiciado por el Proyecto para el Fortalecimiento de la Justicia y Cultura Constitucional en El Salvador, Unión Europea/Corte Suprema de Justicia, Hotel Camino Real, San Salvador, 23 al 25 de junio de 1999.
4. *Integración centroamericana*, en el ciclo de conferencias "Mercosul em debate", Profesor invitado de la UNIGRANRIO, Universidad do Grande Río "Prof. José DE SOUZA HERDY", Duque de Caixas, 26 de agosto de 1998, Río de Janeiro, Brasil.
5. *Nueva normativa procesal penal.* (Unidad Técnica Ejecutiva del sector Justicia/Universidad de Oriente (UTE/UNIVO), San Miguel, abril de 1998.
6. *Derecho Procesal Constitucional.* Unidad Técnica Ejecutiva del Sector Justicia/Universidad de El Salvador UTE/UES, San Miguel, mayo de 1998.
7. *Garantías judiciales y recurso efectivo.* Instituto de Derechos Humanos de la Universidad Centroamericana "José Simeón Cañas" UCA, noviembre de 1995.
8. *Las medidas cautelares en los procesos constitucionales.* Departamento de Ciencias Jurídicas de la Universidad Centroamericana "José Simeón Cañas, UCA, enero de 1996.
9. *Derechos fundamentales,* Facultad de Ciencias Jurídicas de la Universidad Tecnológica, 14 de septiembre de 2002.
10. *VI Seminario Internacional de Ciencias Forenses y Criminología*, organizado por la Universidad a Distancia (UNED) y el Instituto Euroamericano de Ciencias Criminalísticas y Forenses (INECCRIF), en San José, Costa Rica, julio de 2004, con la conferencia *"La valoración de la prueba pericial en un modelo adversativo acusatorio"*.
11. *«Sobre la construcción de la Independencia de la Magistratura»*, en el V Foro ciudadano de Justicia y Democracia, en Puerto Príncipe, Haití, designado por

INECIPCA y en representación de la Red de Jueces, Procuradores y Defensores Públicos de América Central, 17 de julio de 2004.

12. *«Estrategias constitucionales para enfrentar políticas criminales y de seguridad contrarias al Estado de Derecho: Control constitucional de actos concretos, órdenes o resoluciones contrarios a la Constitución. Una experiencia salvadoreña»*, ciudad de Guatemala, Guatemala, actividad de la Red de Jueces, Procuradores y Defensores Públicos de América Central, 9 de octubre de octubre de 2004.
13. *«Seminario sobre el control de constitucionalidad»*, Red Centroamericana de Jueces para la democratización de la Justicia, San Pedro Sula, Honduras, el 18 de septiembre de 2004.
14. *«Delitos culposos: Control de fuentes de riesgo o peligro»*, en San Pedro Sula, Honduras, el día 22/oct/2005, actividad de la Red centroamericana de Jueces para la democratización de la Justicia.
15. Participación en Conferencia *«Como combatir la Trata de Personas»*, auspiciado por la Embajada de los Estados Unidos en El Salvador, el Departamento de Justicia de los Estados Unidos de América y el Consejo Nacional de la Judicatura, San Salvador, del 24 al 26 de enero de 2006.
16. Ha sido instructor del *«Curso interinstitucional de Capacitación para la Lucha contra el Tráfico Ilícito de Armas de Fuego»* ,llevado a cabo del 4 al 15 de julio de 2011, en San Salvador, organizado por el Gobierno de la República de El salvador, el Centro Regional de las Naciones Unidas para la Paz, el Desarme y el Desarrollo en América Latina y el Caribe (UNLIREC) y el Programa de Naciones Unidas para el Desarrollo (PNUD).
17. Ha impartido conferencias y charlas en Derecho Constitucional, Derecho Penal y Derecho Procesal Penal, como profesor invitado en distintas universidades y en la Fundación de Estudios para la Aplicación del Derecho (FESPAD). Ha realizado diversas investigaciones inéditas en las referidas materias.

### 6.2. Premios y distinciones

1. **Primer Lugar** en el *Primer Certamen Literario sobre Derecho Constitucional, Penal y Social*, con el ensayo *«¿Reviviscencia o no derogatoria? Efecto del control difuso de constitucionalidad y la resolución del caso concreto. Reflexiones en torno a un precedente jurisprudencial salvadoreño»;* convocado por la Comisión Coordinadora del Sector Justicia y su Unidad Técnica Ejecutiva, San Salvador, 30 de junio de 2006.

### 6.3 Otros:

1. Miembro de la Comisión redactora del *Anteproyecto de la "Ley Procesal Constitucional"*, 1996-1998, actualmente en discusión en la Asamblea Legislativa, en donde participa en talleres y discusiones con diputados y técnicos de la Comisión de Legislación y Puntos Constitucionales de la Asamblea Legislativa, designado por la Corte Suprema de Justicia, 2004 y 2005.

2. Ha recibido cursos impartidos por diferentes catedráticos nacionales y extranjeros, en distintas instituciones, sobre Derecho Constitucional, Derecho Penal, Derecho Procesal Penal, criminalística, medicina forense, métodos alternos de solución de

conflictos, técnicas pedagógicas y formación de voceros institucionales, entre otros, invitado por distintas instituciones.

3. Abogado y Notario de la República, autorizado por acuerdos 90-D de fecha 11 de febrero de 1993, y 836-D de fecha 27 de octubre de 1993, respectivamente.

4. Ha **recibido** cursos y participado en seminarios y conferencias impartidos por diferentes catedráticos nacionales y extranjeros, en distintas instituciones, sobre Derecho Constitucional, Derecho Penal, Derecho Procesal Penal, criminalística, medicina forense, métodos alternos de solución de conflictos, técnicas pedagógicas y formación de voceros institucionales, entre otros.

5. Ha sido **consultor** del Programa de Naciones Unidas para elaborar un *"Estudio sobre la situación de la independencia del poder judicial"*, actividad desarrollada en Puerto Príncipe, Haití, del 14 al 17 de julio de 2004, en Puerto Príncipe, Haití, designado por INECIPCA y en representación de la Red de Jueces, Procuradores y Defensores Públicos de América Central.

6. Ha sido **consultor** del Comité Nacional contra la Trata de Personas, para la elaboración de la *"Guía de Coordinación Interinstitucional para la judicialización de los casos del delito de Trata de Personas"*, así como la realización de cinco talleres interistitucionales, auspiciado por *Save the Children* y *Catolic Relief Service*, de julio a noviembre de 2008.

7. Ha sido **Presidente** de la **Junta Directiva** de la *Asamblea General de Magistrados y Jueces* para la elección de candidatos a Consejales del Consejo Nacional de la Judicatura, elecciones 2005.

8. **Miembro asociado** (2004-a la fecha) y **Presidente** (2007-2008) del *Foro de Jueces Democráticos e Independientes* de la República de El Salvador, asociada a la *Red Centroamericana de Jueces para la democratización de la Justicia* y a la *Federación de Asociaciones de Jueces para la Democracia de Latinoamérica y el Caribe.*

San Salvador, uno de julio de dos mil diez.

## Ben Emmerson QC

**Barrister of Middle Temple**

Called to the Bar: 1986
Appointed Queens Counsel: 2000
Appointed Recorder (Judge) of the Crown Court: 2005
Appointed Deputy High Court Judge: 2010
Elected Master of the Bench of Middle Temple: 2010

Currently:

> UN Special Rapporteur on Counter-Terrorism and Human Rights. Elected at the 17th Session of the UN Human Rights Council, with mandate taking effect from August 1, 2011.

Formerly:

> Special Adviser to the Prosecutor at the International Criminal Court (UN D2 level consultancy): 2011
>
> Special Adviser to the Supreme Court Chamber of the Extraordinary Chamber in the Courts of Cambodia (the UN-partnered Khmer Rouge Tribunal in Phnom Penh): 2011
>
> Appointed expert to the UN Counter Terrorism Implementation Task Force (CTITF), Working Party on Protecting Human Rights While Countering Terrorism (chaired by Ivan Simonovic, UN Under Secretary General for Human Rights): 2011

**Practice Summary**

In his private practice Ben Emmerson QC has specialised in international and domestic human rights law, international humanitarian law and international criminal law (as well as constitutional, public and public intetnational law).

He is now independently ranked as one of the United Kingdom's top five leading practitioners at the Bar in criminal law and one of the top three leading practitioners at the Bar in the law of human rights and civil liberties.

He has extensive experience in litigation involving the law of armed conflict before international courts and tribunals.

*International criminal law*

Ben Emmerson is Special Adviser to the Prosecutor at the International Criminal Court. In this capacity he has oversight of all current cases in trial (including those concerning Congo and the Central African Republic) reporting directly to the Prosecutor and Executive Board of the OTP on trial strategy and management issues. He is also Special Adviser to the Appeals Chamber at the Khmer Rouge Tribunal in Phnom Penh (in which capacity he provides advice to the appellate judges on all appeals from the Trial Chamber).

Between 2005 and 2008 Ben Emmerson led the defence of Ramush Haradinaj, the former Prime Minister of Kosovo, on war crimes charges before the International Criminal Tribunal for the Former Yugoslavia in The Hague. Mr. Haradinaj faced a 37 count indictment alleging crimes against humanity and war crimes, said to have been committed by members of the KLA during the internal armed conflict in Kosovo in 1998 and 1999. The case turned on the application of principles of international humanitarian law to an asymmetrical internal armed conflict between the forces of Serbia and the KLA (an insurgent guerilla army). In April 2008, after a year-long trial, Mr. Haradinaj was acquitted on all counts. The Appeals Chamber of the ICTY subsequently ordered a partial retrial on certain counts, which is due to take place in the first half of 2011.

*European Convention on Human Rights*

Ben Emmerson QC has appeared as leading counsel, both for and against the government of the United Kingdom, in more than 25 cases in the European Court of Human Rights in Strasbourg, including many of the landmark decisions of the last decade. He has written and lectured extensively on the ECHR and is recognised as one of the leading experts on the Convention in Europe.

# CHRISTOPH FLÜGGE

## Curriculum Vitae

**Born 14 July 1947 in Hamburg**

**Professional career**

Since February 2011 Presiding Judge of Trial Chamber II of the International Criminal Tribunal for the former Yugoslavia (ICTY)

Since November 2008 Permanent Judge at the ICTY

| | |
|---|---|
| 2001 - 2007 | Secretary of State at the Senate Justice Department in Berlin as head of the judiciary including the courts of Berlin, the prosecuter's office and the prison administration of Berlin |
| 1989 - 2001 | Head of the prison administration in the Senate Justice Department in Berlin |
| 1983 - 1989 | Criminal Judge at the County Court and the Criminal District Court in Berlin |
| 1978 - 1983 | Civil servant and head of division in the prison administration of the Senate Justice Department in Berlin |
| 1977 - 1978 | Public Prosecutor in Berlin |
| 1976 | Personal Assistant of the Senator for the Interior in Berlin |
| 1976 | Second State Examination in Berlin |
| 1773 - 1976 | Junior lawyer (Rechtsreferendar) in Berlin |
| 1973 | First State Examination in Berlin |
| 1969 - 1971 | Assistant of a member of the German Parliament (Bundestag) in Bonn, who was a member of the legal commission of Parliament and of the Parliamentary Assembly of the Council of Europe |
| 1967 - 1973 | Study of law at the Free University of Berlin and at the University of Bonn |

**Membership of professional bodies**

- 1996 - 2007 member of the Steering Committee of the Council of Europe for the Reform of the Ukrainian Prison System
- 2002 - 2004 and 2006 - 2008 member of the board of curators of the German Foundation for International Legal Cooperation (IRZ)
- 2001 - 2007 member of the Council of the Foundation for the Memorial Berlin-Hohenschönhausen (former central pre-trail prison of the Secret Service of DDR - Stasi)

- 2001 - 2007 member of the board of curators of the Berlin University of Supplied Sciences for Administration and Justice
- 1989 - 2001 member of the Penitentiary Commission of the German Bundesländer
- Since 1989 member of the German League of Prison Governors

**Related activities**

- Expert of the Council of Europe (seminars with the Ministry of Justice and the Supreme Court of Ukraine and with the Prison Administration of Lithuania)
- Expert of the German Foundation for International Legal Cooperation (seminars with Russian Mercy Commissions, the Estonian Chancellor of Law and the National Administration for Penitentiaries of Romania)
- Consultant of the Estonian Ministry of Justice and the Austrian Prison Administration

**Publications**

- 1990 **DDR-Strafvollzug: Recht statt Drill**, in: Neue Kriminalpolitik 1990
- 1991 **Alter Geist - neue Probleme**, Strafvollzug nach der Wiedervereinigung, in: Neue Kriminalpolitik 1991
- 1991 **Der Anfang der Gemeinsamkeit**, in: Zeitschrift für Strafvollzug und Straffälligenhilfe 3/91
- 1992 **Auf der Suche nach neuen Wegen im Strafvollzug**, in: Cremer-Schäfer (Hrsg.), Im Namen des Volkes? Katholische Akademie Rabanus Maurus Wiesbaden, Idstein 1992
- 1993 **Zur Organisation und Situation des Justizvollzuges in der Bundesrepublik Deutschland**, in: Zeitschrift für Strafvollzug und Straffälligenhilfe 3/93
- 1995 **Wie war es wirklich in den DDR-Gefängnissen?** Über die Schwierigkeiten mit einer "amtlichen Auskunft", in: Horch und Guck Heft 17, 4/95 und in: Zeitschrift für Strafvollzug und Straffälligenhilfe 2/96
- 1997 **Assessment of the Ukrainian Prison System**, (Lakes/Flügge/Philip/Nestorovic-Report) Council of Europe Strasbourg 1997 (UKR V.B.4 (97) 1)
- 1997 **...und sie bewegt sich doch**, Debatte um die Todesstrafe in der Ukraine, in: ai-Journal 6/97
- 1998 **Berlin zeigt Mut zur Reform**, in: Neue Kriminalpolitik 1/1998
- 1999 **Dienstleistungsunternehmen Strafvollzug**, in: Bruhn, Stauss, Dienstleistungsqualität, 3. Auflage Wiesbaden 1999
- 1999 **Untersuchungshaftanstalten des MfS**, in: Strafvollzug in den neuen Bundesländern, Kriminologische Zentralstelle, Wiebaden 1999
- 2000 **Kommerzialisierung des Strafvollzuges?** in: Everything for sale? Dokumentation einer Tagung der Evangelischen Akademie Mülheim an der Ruhr Februar 2000
- 2000 **Gefängnisse als Aktiengesellschaften?** in: Das Geschäft mit der Sicherheit, Friedrich-Ebert-Stiftung Berlin 2000
- 2000 **Instrumentalisierung der Vollzugsmedizin zu nichtmedizinischen Zwecken**, in: Zeitschrift für ärztliche Fortbildung und Qualitätssicherung 4/2000
- 2001 **Von der Aufsicht zur Globalsteuerung**, in: Flügge, Maelicke, Preusker (Hrsg.), Das Gefängnis als lernende Organisation, Baden-Baden 2001
- 2001 **Internationale Beziehungen und Kontakte im Strafvollzug**, in: Herrfahrdt (Hrsg.) Strafvollzug in Europa, Hannover 2001
- 2002 **Rechte Gewalttäter in Haft - und was dann?** in: Zeitschrift für Strafvollzug und

Straffälligenhilfe 2/02

- 2002 **Haushaltsfragen als Stolpersteine für strafrechtliche Innovationen**, in: Gemeinnützige Arbeit statt Knast, Friedrich-Ebert-Stiftung Berlin 2002
- 2003 **Aufbruch in eine neue Reformphase im deutschen Justizvollzug**, in: Maelicke, Flügge, Preusker (Hrsg.), Perspektiven und Strategien zur Modernisierung des Strafvollzuges, Baden-Baden 2003
- 2003/2004 **Freiheitsstrafe und Gefängnissystem in Deutschland = Vanglakaristus ja vanglasüsteem Saksamaal**, in: Juridica International VIII /2003 und Juridica III/2004 Tartu/Estland
- 2004 **Reassessment of the Needs of the Ukrainian Prison System**, Council of Europe Strasbourg 2004 (SG/Ukraine (2003) 1 REV)
- 2004 **Wertimplikationen im Studium für den öffentlichen Dienst im zusammenwachsenden Europa**, in: 15. Glienicker Gespräch, Fachhochschule für Verwaltung und Rechtspflege Berlin 2004
- 2005 **100. Tagung des Strafvollzugsausschusses der Länder**, in: Zeitschrift für Strafvollzug und Straffälligenhilfe 1/05
- 2007 **Wozu brauchen wir noch den Staat? Die Privaten auf dem Vormarsch?** in: Forum Strafvollzug 5/2007
- 2008 **Die Untersuchungshaft in der Ukraine – Probleme und Perspektiven aus europäischer Sicht = Попереднє ув'язнення в Україні - Проблеми та перспективи з європейської точки зору**, in: Deutsche Stiftung für internationale rechtliche Zusammenarbeit e.V., Kiew/Bonn 2008
- 2008 **Die Konzeption des Jugendvollzugsgesetzes der "Neun-Länder-Gruppe"**, in: Susanne Benzler (Hrsg.), Jugendstrafvollzug. Neue Gesetze - Neue Perspektiven?, Rehburg/Loccum 2008
- 2010 **Internationale und nationale Kontrollmechanismen im Strafvollzug**, in: Preusker, Maelicke, Flügge (Hrsg.), Das Gefängnis als Risiko-Unternehmen, Baden-Baden 2010
- 2010 **Für eine verantwortungsbewusste und rationale Kriminalpolitik**, zusammen mit Dünkel, Lösch, Pörksen in: Deutsche Richterzeitung 2/2010
- 2010 **Plädoyer für Reformen des strafrechtlichen Sanktionensystems und des Strafvollzuges**, zusammen mit Dünkel, Lösch, Pörksen in: Zeitschrift für Rechtspolitik 6/2010
- 2010 **Menschen hinter Gittern - Vom notwendigen Risiko sozialer Integration**, Schlußbetrachtung, in: http://www.fes-forumberlin.de/Bundespolitik/pdf/Fluegge_Schlussbetrachtung_authorisiert.pdf
- 2010 **Achtung (für) Menschenwürde**, in: Zeitschrift für Jugendkriminalrecht und Jugendhilfe 4/2010
- 2010 **Menschenrechte als Maßstab**, in: Forum Strafvollzug 5/2010
- 2011 **Das Jugoslawientribunal - ein Erfahrungsbericht**, in: Deutsche Richterzeitung 1/2011
- 2011 **Man muss doch etwas tun...**, in: Wertschöpfung durch Wertschätzung, Festschrift für Bernd Maelicke, Baden-Baden 2011

## 1-Información Personal

Nombre: Graciela Susana GATTI SANTANA

Nacionalidad: uruguaya

Fecha de nacimiento: 1/06/1964

Lugar de nacimiento: Montevideo

Estado Civil: casada

## 2-Estudios Cursados:

1983-1988. Estudios Terciarios en la Universidad de la Republica Oriental del Uruguay (UDELAR) - Facultad de Derecho y Ciencias Sociales

títulos obtenidos: Escribana (Egresada en 1987) y Abogada (Egresada en 1988)

## 3-Experiencia profesional

3.1- 1987 a 1992: ejercicio liberal de la profesión de Escribana y Abogada.

3.2-Julio 1992: Ingrese al Poder Judicial con el cargo de Actuaria Adjunta, desempeñándome en Comisión, en la Secretaria del Sr. Ministro de la Suprema Corte de Justicia D. Nelson García Otero, cumpliendo funciones de Asistente Técnico.

3.3- Diciembre de 1992: Fui designada Juez de Paz Departamental de la Capital de 11° Turno con competencia en materia civil, comercial, procesos voluntarios y conciliación previa.

3.4Diciembre de 1994: Fui ascendida a Juez Letrado de Paso de Los Toros (con competencia en materia civil, comercial, laboral, familia, contencioso administrativo, aduanero, penal y menores infractores)

3.5- Fui designada como Juez Letrado de Carmelo de Segundo Turno, con competencia en materia civil, comercial, familia, laboral y contencioso administrativo).

3.6-Noviembre de 1999 Fui designada Juez Letrado de Maldonado de Sexto Turno (con competencia en materia civil, laboral y comercial)

3.7-Febrero de 2003: Fui ascendida Juez Letrado de la Capital, en calidad de Juez Suplente.

3.8- Octubre de 2003: Fui designada Juez Letrado de Primera Instancia del Trabajo de 14° Turno.

3.9: Febrero de 206: Fui designada Juez Letrado de Primera Instancia en lo Penal de 7° Turno

3.10: 24 de diciembre de 2008 Fui designada Juez Letrado de Primera Instancia en lo Penal Especializado en Crimen Organizado de Primer Turno (cargo actual) cumpliendo funciones desde la creación de dicho Juzgado con fecha 1 de enero de 2009.

## 4-Actividades profesionales adicionales y cursos

4.1- Desde 1989 a 1991: Seguí la carrera como Aspirante a Profesor Adjunto en Técnica Forense, de la Facultad de Derecho (Universidad de la . República)

4.2- Desde 1992 a 1994 y de 2003 a 2009: Seguí la carrera docente desempeñándome como Aspirante a Profesor Adjunto en la Facultad de Derecho de la Universidad de a República en la materia Derecho Internacional Privado.

## 5-Maestrías y cursos de postgrado

5.1- En el año 2008 inicié la Maestría en Derecho Constitucional con Énfasis en Derechos Humanos, en la Universidad Católica Dámaso Antonio Larrañaga, Montevideo, Uruguay, la que a'un no he finalizado.

5.2-En el año 2008 realicé el Curso de Postgrado de Especialista en Argumentación Jurídica de la Universidad de Alicante, España. Aprobado con SOBRESALIENTE.

## 6- Cursos relacionados a la Materia Penal y Derechos Humanos

Realicé los siguientes cursos en las fechas que se indican a continuación:

- Taller Especializado en Atención Integral a las Víctimas de Violaciones Graves a los derechos Humanos en caso de Litigio (29 al 31 de agosto de 2007) organizado por el Instituto Interamericano de Derechos Humanos.

- Taller regional Sobre Atención Integral a las Víctimas de Violaciones Graves a los Derechos Humanos en caso de Litigio (Instituto Interamericano de Derechos Humanos), 27 al 29 de noviembre de 2007.
- Marzo 15 a 26 de 2010: Participé en el Curso sobre Tráfico de Personas, dictado por la Internacional Law Enforcement Academy latin America, Lima Peru.
- 16 a 17 de noviembre de 2009 Participé como Expositora en Ëncuentro por una Justicia de Género- Trata de Personas" organizado por la Suprema Corte de Justicia de Paraguay., en asunción república de Paraguay.
- 21 al 23 de julio de 2009: Participé en el "Taller sobre evidencias electrónicas en la investigación de delitos", organizado por la Organización de los Estados Americanos, Santiago de Chile.
- 3 al 5 de septiembre de 2009 participé como expositora en el II Congreso de Valoración del Daño Corporal. III Encuentro de Medicina Legal. Tema: "Nuevos planteos en valoración de daño corporal: Daños por Tratos Crueles, Inhumanos y Degradantes. Ponencia: Transformación de la Personalidad como lesión y secuela psíquica"
- Año 2002: fui designada por el C.E.J.U para asistir a los seminarios realizados en la Escuela Judicial Española (Madrid) sobre "El Papel del Juez Civil" y "Delincuencia Informática"
- Año 2006: Participé del Seminario "La Delincuencia Informática. Nuevos desafíos para la Cooperación Internacional", organizado por la Agencia Española de Cooperación Internacional y la Secretaria de Estado de Seguridad del Ministerio del Interior de España, realizado en Cartagena de Indias (Colombia) del 25 al 29 de setiembre

- Año 2007/2008 Participé en la mesa Interinstitucional a nivel CEJU sobre "Lavado de Activos y Comiso de bienes procedentes de delito de lavado de activos y participé en la Jornada sobre "Requisa de bienes presuntamente vinculados al narcotráfico y aspectos probatorios relacionados".
- Año 2007: Obtuve el Certificado expedido por la Internacional Compliance Association (ICA) sobre "Lavado de Activos".
- Concurrí al Taller sobre "Vinculación entre las actuaciones de los organismos de represión y prevención del narcotráfico y el Poder Judicial" (CEJU, , noviembre de 2007).
- Participé en el Seminario Taller sobre "Drogas de Síntesis" (noviembre de 2007).
- Participé en el Taller sobre "La prueba indirecta en el Delito de Lavado de Activos" (LAPLA/UNODOC).
- Participé en el Seminario de GAFISUD para la Capacitación de Jueces y Fiscales en Materia de Lavado de Activos y Financiamiento del Terrorismo, Buenos Aires, 1/10/2008.
- Participé integrando el Tribunal en el Juicio Simulado sobre Lavado de Activos, organizado por la OEA/ CICAD, Montevideo, octubre de 2008.
- Asistí al Taller sobre "Computer Forensics", Brasilia, diciembre de 2006.
- Taller sobre "Enterprise Theory. Investigation of Organizad Crime" (Departamento del Tesoro - USA), diciembre de 2010.
- Participé como expositora en las XIIas Jornadas Académicas del Instituto de Derecho Informático. Tema: Aspectos Penales del Comercio Electrónico.

- Curso sobre "Financial Investigative Techniques", dictado por Departamento del Tesoro y Departamento de Estado de U.S.A. noviembre 9 a 13 de 2009.
- 14 de octubre de 2007, participé en las "Jornadas sobre la Libertad Asistida y Penas Alternativas en el sistema jurídico de Minnesota"
- 10 al 13 de octubre de 2010 participé en el Taller Subregional en cooperación Internacional sobre el uso de Internet con fines terroristas", celebrado en Cartagena de Indias, Colombia, organizado por UNODC.

### 7-Otros cursos y actividades académicos

Año 2007 (2 al 21 de abril) participé del programa "Internacional Visitor Leadershipo Proggram of the United States Department Of State.", tema: Administration of Justice and the rule or law.

Años 2003/2005 Participé en el proyecto de Consultoría: **"Evaluación de Personal Jurisdiccional del Poder Judicial"** de la República de Honduras. (C.E.J.U.)

Asistí en representación de la Asociación de Magistrados al Primer Congreso de Magistrados del Mercosur. (Florianópolis, Brasil), noviembre 1997.

Concurrí en calidad de disertante al Segundo Congreso de Magistrados del Mercosur, (Buenos Aires, Argentina) . Ponencia: "Inserción de las Normas Comunitarias en los Derechos Nacionales" Diciembre 1998

Concurrí en calidad de disertante al Cuarto Congreso de Magistrados del Mercosur, (Blumenau, Brasil). Ponencia: "Protocolo de Buenos Aires". Noviembre 1999

Participé como disertante en la "Jornada Taller de Actualización Profesional", organizada por la Escuela de Policía Departamental, Paso de los Toros, febrero de 1996.

Actué como capacitadora en el curso para Jefes de Sección y Administrativos I y II, organizados por DICCAP (Dirección de Capacitación y Apoyo Actuarial del Poder Judicial), año 2000.

Artículo Publicado: "Inserción de las Normas Comunitarias en los Derechos Nacionales", en Revista Judicatura, diciembre 1997, número 38.

.

Año 2007: Integré en representación de Centro de Estudios Judiciales del Uruguay (C.E.J.U.) la Mesa de investigación y trabajo Interinstitucional sobre "Sobre Violencia Doméstica" y la Mesa de Investigación y trabajo sobre "Lavado de Activos".

Asistí a los siguientes cursos dictados por el Centro de Estudios Judiciales del .Uruguay (Poder Judicial):

- Taller Multidisciplinario (junio de 1995)
- Taller de Derecho Procesal Civil sobre Culpa Civil y Culpa Penal. (junio de 1994).
- Taller de Derecho Procesal Civil sobre La carga de contradecir y fijación del objeto del proceso. ( agosto de 1994).

- Aspectos Procesales de los Títulos Valores, (agosto de 1993).
- Métodos alternativos de resolución de conflictos, (junio de 1993)
- Taller sobre Código General del Proceso, (diciembre de 1992).
- Seminario sobre medios legales contra la insolvencia fraudulenta de deudores. (abril de 1993).
- Taller de derecho Procesal Civil sobre "Actitudes del demandados en el proceso por audiencias", (abril de 1994).
- Taller Sobre Cooperación Jurídica Internacional en el MERCOSUR (octubre de 1993).
- Curso sobre Conciliación y Mediación. Módulos I y II (Mayo de 1994).
- Taller de Derecho Civil sobre: "Ley 14.500", (setiembre de 1993).

Asistí también a los siguientes cursos, jornadas académicas y seminarios:

"Primer Encuentro Nacional Sobre Arbitraje" (Maldonado, 28 abril de 2003), Organizado por la Universidad de Montevideo y Estudio Guyer y Regules.

Seminario "Hacia un Nuevo Derecho de Niños, Niñas y Adolescentes" (Montevideo, 23 y 24 de setiembre 1997)

XVII Congreso Mundial de Derecho del Trabajo y de la Seguridad Social. Montevideo, 2 al 5 de setiembre de 2003

X Jornadas Nacionales de Derecho Procesal (Colonia, 15 al 17 de mayo de 1999)

XII Jornadas de Derecho Procesal (Salto, 16 a 18 de setiembre de 2004).

Ias Jornadas de Derecho Penal, Montevideo 26 y 27 de octubre de 1995

XV Jornadas Nacionales de Derecho del Trabajo y de la Seguridad Social (Salto, 4 y 5 de diciembre de 2004).

Seminario - Taller de Estadísticas Judiciales (S.C. J. - B.I.D.) 9 y 10 de diciembre de 1993..

Curso de Posgrado sobre "Consumo, Usura y Crisis Bancaria" (Escuela de Posgrado, Facultad de Derecho de la Universidad de la República).

Jornada sobre Etica Judicial, (Programa S.C.J. -B.I.D.)

XXXII Jornada Notarial Uruguaya - Asociación de Escribanos del Uruguay, (Fray Bentos, 1991).

Taller de Jurisprudencia sobre intereses, usura y reajuste de las obligaciones ( 6 de setiembre al 18 de octubre de 1994). Universidad Católica del Uruguay.

Conferencia sobre "Deudas en dólares, derechos del consumidor y situación de los ahorristas" (Maldonado, noviembre de 2002), organizada por "Jus Consultora en Derecho".

II Encuentro Argentino - Uruguayo de Institutos de Derecho Comercial (Colonia, 1 al 3 de mayo de 1997), Facultad de Derecho. Universidad de la República.

Jornada de Interpretación Aplicación de la ley 17.951 de Prevención, Control y Erradicación de la Violencia en el Deporte. (Centro de Estudios Judiciales) 29 de mayo de 2006.

Capacitación en Comunicación. (Centro de Estudios Judiciales 4, 6, 11 y 19 de abril de 2005).

## 8-Idiomas:

Inglés: Certificate of Proficiency in English expedido por la Universidad de Cambridge.

Francés: Diplome de Hautes Etudes Francaises

Graciela Gatti

# DRA. GRACIELA GATTI

## 1-Personal Information

Full Name: Graciela Susana GATTI SANTANA

Nationality: Uruguayan

Date of Birth: June 1st, 1964

Place of Birth: Montevideo

Marital Status: Married

## 2-Education:

1983-1988. Tertiary Education at the University of the Republic of Uruguay (UDELAR) – School of Law and Social Sciences

Degrees: Notary Public (Graduated in 1987) and Lawyer (Graduated in 1988)

## 3-Professional Experience

3.1- 1987 - 1992: Free practice as Notary Public and Lawyer.

3.2-July 1992: Entered the Judiciary as Deputy Clerk and was assigned to the Secretary's Office of Dr. Nelson García Otero, Justice of the Supreme Court of Justice, as Technical Assistant.

3.3- December 1992: Appointed Justice of the Peace of the 11th Term of the Department of Montevideo, competent in civil and commercial matters, voluntary proceedings and conciliation.

3.4- December 1994: Promoted to Judge of the Court in Paso de Los Toros (competent in civil, commercial, labour, family, administrative, customs, criminal matters and matters involving minor offenders)

3.5- Appointed Judge of the Court of Second Term in Carmelo competent in civil, commercial, family, labour and administrative matters.

3.6-November 1999: Appointed Judge of the Court of Sixth Term of Maldonado (competent in civil, labour and commercial matters)

3.7 - February 2003: Promoted to the position of Pro Tempore Judge of the Capital City of Montevideo.

3.8 - October 2003: Appointed Judge of the Court of First Instance in Labour Matters of the 14th Term.

3.9 - February 2006: Appointed Judge of the Court of First Instance in Criminal Matters of the 7th Term.

3.10 - December 24th 2008: Appointed Judge of the Court of First Instance in Criminal Matters, Specializing in Organized Crime of the First Term (current position) which I have held since the creation of the aforesaid Court on January 1st 2009.

### 4-Other Professional Activities and Courses

4.1- 1989 - 1991: University Career as Aspiring Assistant Professor of Forensic Science, School of Law (University of the Republic of Uruguay)

4.2- 1992 - 1994/2003 - 2009: University Career as Aspiring Assistant Professor of Private International Law, School of Law, University of the Republic of Uruguay.

### 5-Master's Degrees and other Post-graduate Courses

5.1- 2008 - started the Master's Degree Course in Constitutional Law majoring in Human Rights at the Dámaso Antonio Larrañaga Catholic University, Montevideo, Uruguay, which I have not yet completed.

5.2- 2008 - Post-graduate Course in Legal Argumentation at the University of Alicante, Spain. Pass mark: EXCELLENT.

## 6- Courses and Workshops on Criminal Matters and Human Rights

I attended the following courses and workshops on the dates listed below:

- Workshop on Integral Attention to Victims of Serious Human Rights Violations in the course of a Trial (August 29-31 2007), organized by the Inter-American Institute of Human Rights.
- Regional Workshop on Integral Attention to Victims of Serious Human Rights Violations in the course of a Trial (Latin-American Institute of Human Rights), held on November 27-29, 2007.
- March 15-26, 2010: Attended the Course on Human Trafficking of the International Law Enforcement Academy, Latin America, Lima Peru.
- November 16-17, 2009: Presenter at the Meeting on Gender Justice-Human Trafficking, organized by the Supreme Court of Justice of Paraguay, held in Asunción, Republic of Paraguay.
- July 21-23, 2009: Attended the Workshop on Electronic Evidence in Crime Investigations, organized by the Organization of American States, held in Santiago de Chile.
- September 3-5, 2009: Presenter at the Second Congress on the Evaluation of Corporal Damage. Third Meeting of Legal Medicine. "New Approaches to the Evaluation of Corporal Damage: Trauma caused by Cruel, Inhuman and Degrading Treatment. Presentation: Personality Changes as a result of Injury and Psychological Trauma"
- 2002: appointed by C.E.J.U to attend the seminars held at the "Escuela Judicial Española" /Spanish Judicial School/

(Madrid) on "The Role of the Judge in Civil Matters" and "Computer Crime".

- 2006: Attended the Seminar on "Computer Crime. New Challenges to International Cooperation", organized by the Spanish Agency for International Cooperation and the Security Office of the Ministry of the Interior of Spain, held in Cartagena de Indias (Colombia), on September 25-29.
- 2007/2008: Attended the Inter-Institutional Meeting sponsored by CEJU /Uruguayan Centre of Judicial Studies/ on "Money Laundering and Confiscation of Assets Coming from Money Laundering and the Seminar on "Confiscation of Assets linked to Drug Trafficking and other aspects related to Evidence".
- 2007: I was awarded the Certificate on "Money Laundering" issued by the International Compliance Association (ICA).
- Attended the Workshop on "Links between the Action of the Bodies engaged in Drug Trafficking Repression and Prevention and the Judiciary" (CEJU, November 2007).
- Attended the Seminar-Workshop on "Synthetic Drugs" (November 2007).
- Attended the Workshop on "Indirect Evidence in Money Laundering" (LAPLA/UNODOC).
- Attended GAFISUD's Seminar for the Training of Judges and Prosecutors in matters related to Money Laundering and Terrorist Financing, Buenos Aires, October 1, 2008.
- Participated as Member of the Court in the Mock Trial concerning Money Laundering, organized by OAS/ CICAD, Montevideo, October 2008.
- Attended the Workshop on "Computer Forensics", Brasilia, December 2006.
- Workshop on "Enterprise Theory. Investigation of Organized Crime" (Treasury Department – USA), December 2010.
- Presenter at the Twelfth Academic Day Meeting of the IT Law Institute on the theme of "Criminal Aspects of E-commerce".

- Course on "Financial Investigative Techniques", given by the U.S.A Treasury Department and the State Department, November 9-13, 2009.
- October 14, 2007: Attended the "Meeting on Assisted Freedom and Alternative Punishment in the Minnesota Justice System".
- October 10 - 13, 2010: Attended the Sub-regional Workshop on International Cooperation on the Use of the Internet for Terrorist Purposes, held in Cartagena de Indias, Colombia, organized by UNODC.

**7-Other Courses and Academic Activities**

2007 (April 2- 21) Participated in the "International Visitor Leadership Program of the United States Department Of State." Theme: Administration of Justice and the Rule of Law.

2003/2005: Participated in the Consultancy Project: **"Evaluation of Judicial Personnel and Jurisdiction",** Republic of Honduras. (C.E.J.U.)

On behalf of the "Magistrates' Association", attended the First Meeting of Judges of the Mercosur. (Florianopolis, Brazil), November, 1997.

Presenter at the Second Meeting of Judges of the Mercosur, held in Buenos Aires, Argentina. Presentation: "Insertion of Community Rules in National Legal Frameworks", December, 1998.

Presenter at the Fourth Meeting of Judges of the Mercosur held in Blumenau, Brazil. Presentation: "Protocol of Buenos Aires". November, 1999.

Presenter at the "Professional Development" Workshop organized by the Police Training School, Paso de los Toros, February, 1996.

Trainer in the Course for Heads of Division and Grade I and II Administrative Officers, organized by DICCAP ("Dirección de Capacitación y Apoyo Actuarial del Poder Judicial"), /Training and Support to the Judiciary/. 2000.

Publication: "Inserción de las Normas Comunitarias en los Derechos Nacionales" /Insertion of Community Rules in National Legal Frameworks/, article published in the "Revista Judicatura" Nº 38, December, 1997.

2007: On behalf of C.E.J.U., acted as Member of the Inter-institutional Investigation and Working Board on "Domestic Violence and the Investigation and the Working Board on "Money Laundering".

Attended the courses by the "Centro de Estudios Judiciales del Uruguay" (C.E.J.U) listed below:

- Multidisciplinary Workshop (June 1995)
- Civil Procedural Law Workshop on Negligence and Criminal Intention. (June 1994).
- Civil Procedural Law Workshop on the burden of contradiction and fixing the purpose of the proceedings. (August, 1994).
- Procedural Aspects of Securities (August, 1993).
- Alternative Methods for Conflict Resolution, (June, 1993)
- Workshop on the General Code of Procedure, (December, 1992).
- Seminar on Legal Measures against Debtors' Fraudulent Insolvency. (April, 1993).
- Civil Procedural Law Workshop on "Attitudes of the Defendant towards Court Hearings", (April, 1994).
- Workshop on International Judicial Cooperation in the MERCOSUR (October, 1993).
- Conciliation and Mediation Course. Modules I and II (May, 1994).
- Civil Law Workshop on: "Law 14.500", (September 1993).

Attendance to the courses, academic workshops and seminars listed below:

First National Arbitration Meeting, held in Maldonado, on 28 April, 2003, organized by the University of Montevideo and "Estudio Guyer y Regules".

Seminar "Towards New Children and Adolescents Legislation"/ (Montevideo, September 23 – 24, 1997).

Twenty-fourth World Congress on Labour Law and Social Security, held in Montevideo, September 2 – 5, 2003.

Tenth National Meeting on Procedural Law (Colonia, May 15 -17, 1999).

Twelfth Meeting on Procedural Law (Salto, September 16 - 18, 2004).

First Meeting on Criminal Law, Montevideo, October 26-27, 1995

Fifteenth National Meeting on Labor and Social Security Legislation. (Salto, December 4 and 5, 2004).

Seminar – Workshop on Judicial Statistics (S.C. J. – I.D.B.), December 9 and 10, 1993.

Post-graduate Course: "Consumption, Usury and Banking Crisis" (Post-Graduates' School, Law School of the University of the Republic of Uruguay).

Day Meeting on Judicial Ethics, (S.C.J. Programme –I.D.B.)

Thirty-second Meeting of Uruguayan Notaries – Asociación de Escribanos del Uruguay, (Fray Bentos, 1991).

Jurisprudence Workshop on Interests, Usury and Readjustment of Obligations (September 6-October 18, 1994) Catholic University of Uruguay.

Conference on "Debt in Dollars, Consumer's Rights and the Situation of Savings Account Holders" (Maldonado, November, 2002), organized by "Jus Consultora en Derecho".

Second Argentinean-Uruguayan Meeting of Commercial Law Institutes (Colonia, May 1- 3, 1997), School of Law. University of the Republic of Uruguay.

Day Meeting on the Construction and Application of Law 17.951 – Prevention, Control and Eradication of Violence in Sports (CEJU.) May 29, 2006.

Training in Communication skills. (CE.J.U.) April 4, 6, 11 and 19, 2005.

## 8-Languages:

English: Certificate of Proficiency in English, Cambridge University.

French: Diplome de Hautes Etudes Francaises

**Graciela Gatti**

***Alfredo Darío Gómez Tedeschi.***

## Personal Details

Date & Place of birth: Montevideo, 29 April 1951.
Address: Ave. 26 de marzo 3424 ap. 301. Montevideo. Uruguay
Telephone: 2.622.91.76 /097.35.69.14
E-mail: gomez.te@gmail.com
Nationality: Uruguayan

## Educational Qualifications and Degrees

**Primary Education** Colegio y Liceo San Francisco de Sales and Colegio y Liceo Misericordista
**Secondary Education** Colegio y Liceo Misericordista and Instituto Alfredo Vázquez Acevedo (I.A.V.A)

**Basic Knowledge on Windows Programs**

**1970 - 1977 - University** Facultad de Derecho y Ciencias Sociales de la Universidad de la República

**1975** Solicitor .

**1977** LLD. Doctor en Derecho y Ciencias Sociales.

## Employment to date:

**1974 - 1978** Land and Mortgage Registry Office (Dirección Gral. de Registros)

**1978.** Appointed Justice of the Peace - 1º Sección Judicial de Soriano (Mercedes) -

**August 1979** Transferred to 6º Sección Judicial de San José. Continue in the position of Justice of the Peace.

**29th April 1980** Transferred again - 1º Sección Judicial de Rivera.

**10th de June 1980** Promoted to Examining Magistrate - Rivera 2º Turno -.

**1982** Transferred to the city of Maldonado.
Appointed Examining Magistrate - Maldonado 3º Turno.

**March 1988** Transferred to Montevideo. Became Examining Magistrate of Criminal Affaires - Penal 2º Turno.

**18th April 1994** Promoted to Justice of the Appeal Court of Criminal Affaires - Tribunal de Apelaciones en lo Penal de 2º Turno -.

**14th April 2011** Justice of the Appeal Court of Criminal Affaires. -Tribunal de Apelaciones en lo Penal de 4º Turno.-

## Seminars and Conferencies.

Attend as a Participant to "The First National Encounter for Coordination among Jurisdictional and Administrative Organisms with competence in minors issues", that took place in Montevideo, October 1980.

Attend as a Participant to the "IV Regional Symposium on Justice", hold in Montevideo between 4th & 6th of Octuber 1980.

Attend as a Participant to the "Conference on family and Adolescent isues sponsor by Instituto Interamericano del Niño (Specialized Organism of OAS) and Instituto Uruguayo de Derecho de Familia y Menores, hold between the 29th and 30th November 1985.

Attend as Lecturer to "IV River Plate Conference on Law" , that took place in Punta del Este – November 15th 1986 -.

Attend as Lecturer to the "IV National Conference on Procedural Law", hold in Punta del Este, March 22nd 1987.
Organized by "Instituto Uruguayo de Derecho Procesal",The Bar Association of Uruguay,The Bar Association of Maldonado and "Revista Uruguaya de Derecho Prcesal".

Attend to the Seminar on "Implementation of the regulations of the Criminal Code" tutelage by "Centro de Estudios Judiciales del Uruguay" (CEJU) -1991-.

Attend as a Participant to the First Seminar of the " Program for actualization of Judges and Prosecutors on drug topics.", that took place in Montevideo from june 29th to july 1st 1993.

Attend as a Participant to the first "Seminar about judicial statistics", 9th & 10th December 1993.

Attend as a Participant to the Seminar "An alternative approach to juvenile rehabilitation ", 28th & 29th de September 1999.

## Committees.

Member of the Committe of Institutional Coordination between the Judiciary and the Home Office. (1998 -1999)

Member of the Commitee to reform the Uruguayan Criminal Code (2006 -2007)

Member of the Commitee to reform the Military Criminal Code, the Procedural Military Criminal Code and The Code of Organization of the Military Legal System. (2009 – 2010).

Alfredo Gómez Tedeschi L.L.D

## *Alfredo Darío Gómez Tedeschi.*

### Personal Details

Date & Place of birth: Montevideo, 29 April 1951.
Address: Ave. 26 de marzo 3424 ap. 301. Montevideo. Uruguay
Telephone: 2.622.91.76 /097.35.69.14
E-mail: gomez.te@gmail.com
Nationality: Uruguayan

### Educational Qualifications and Degrees

**Primary Education** Colegio y Liceo San Francisco de Sales and Colegio y Liceo Misericordista
**Secondary Education** Colegio y Liceo Misericordista and Instituto Alfredo Vázquez Acevedo (I.A.V.A)

**Basic Knowledge on Windows Programs**

**1970 - 1977 - University** Facultad de Derecho y Ciencias Sociales de la Universidad de la República

**1975** Solicitor .

**1977** LLD. Doctor en Derecho y Ciencias Sociales.

### Employment to date:

**1974 - 1978** Land and Mortgage Registry Office (Dirección Gral. de Registros)

**1978.** Appointed Justice of the Peace - 1° Sección Judicial de Soriano (Mercedes) -

**August 1979** Transferred to 6° Sección Judicial de San José. Continue in the position of Justice of the Peace.

**29th April 1980** Transferred again - 1º Sección Judicial de Rivera.

**10th de June 1980** Promoted to Examining Magistrate - Rivera 2º Turno -.

**1982** Transferred to the city of Maldonado.
Appointed Examining Magistrate - Maldonado 3º Turno.

**March 1988** Transferred to Montevideo. Became Examining Magistrate of Criminal Affaires - Penal 2º Turno.

**18th April 1994** Promoted to Justice of the Appeal Court of Criminal Affaires - Tribunal de Apelaciones en lo Penal de 2º Turno -.

**14th April 2011** Justice of the Appeal Court of Criminal Affaires. -Tribunal de Apelaciones en lo Penal de 4º Turno.-

**Seminars and Conferencies.**

Attend as a Participant to "The First National Encounter for Coordination among Jurisdictional and Administrative Organisms with competence in minors issues", that took place in Montevideo, October 1980.

Attend as a Participant to the "IV Regional Symposium on Justice", hold in Montevideo between 4th & 6th of Octuber 1980.

Attend as a Participant to the "Conference on family and Adolescent isues sponsor by Instituto Interamericano del Niño (Specialized Organism of OAS) and Instituto Uruguayo de Derecho de Familia y Menores, hold between the 29th and 30th November 1985.

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Attend as Lecturer to the "IV National Conference on Procedural Law", hold in Punta del Este, March 22nd 1987.
Organized by "Instituto Uruguayo de Derecho Procesal",The Bar Association of Uruguay,The Bar Association of Maldonado and "Revista Uruguaya de Derecho Prcesal".

Attend to the Seminar on "Implementation of the regulations of the Criminal Code" tutelage by "Centro de Estudios Judiciales del Uruguay" (CEJU) -1991-.

Attend as a Participant to the First Seminar of the " Program for actualization of Judges and Prosecutors on drug topics.", that took place in Montevideo from june 29th to july 1st 1993.

Attend as a Participant to the first "Seminar about judicial statistics", 9th & 10th December 1993.

Attend as a Participant to the Seminar "An alternative approach to juvenile rehabilitation ", 28th & 29th de September 1999.

## Committees.

Member of the Committe of Institutional Coordination between the Judiciary and the Home Office. (1998 -1999)

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Member of the Commitee to reform the Military Criminal Code, the Procedural Military Criminal Code and The Code of Organization of the Military Legal System. (2009 – 2010).

Alfredo Gómez Tedeschi L.L.D

# Sir Burton Hall
## Judge, ICTY

**Burton Percival Curtis Hall** who, in August of 2005, had been elected by the General Assembly of the United Nations an *ad litem* judge of the International Criminal Tribunal for the for the prosecution of crimes against humanity in the former Yugoslavia (ICTY), was appointed as a Permanent Judge of the ICTY by the Secretary General on 7 August 2009

*Birth:* Nassau, The Bahamas, 10 December 1947

*Education:* Sir Burton received an Ll B degree, with Honours, from the University of the West Indies in 1974 and the Legal Education Certificate of the Council of Legal Education of the West Indies in 1976.

*Professional Life:* Sir Burton began his public service career in 1968 and served as a Probation Officer and Clerk in the House of Assembly before he began his legal studies.

He entered the Office of the Attorney General as an Assistant Counsel following his admission to the Bar in 1976. He progressed through the ranks of that Office (acting as a Stipendiary and Circuit Magistrate for two years) and held the post of Solicitor General when he was appointed to act as a Justice of the Supreme Court in October of 1990. As Solicitor General, he represented The Bahamas at several regional conferences dealing with drug trafficking and economic crimes.

He was confirmed as a Justice of the Supreme Court with effect from 1 February 1991 and served in that office (presiding over criminal, civil, constitutional and family matters) until he was appointed to the Court of Appeal on 1 April 1997. He demitted office as a Justice of Appeal and was appointed as the ninth Chief Justice and Head of the Judiciary of The Bahamas since Independence on 5 September 2001. He retired from that office on being appointed a permanent judge of the ICTY

During 1998 he was appointed Chairman of the National Crime Commission that made its report to the government of The Bahamas on 30 November of that year.

In 1999 he was appointed to serve a three-year term as a member of the Administrative Tribunal of the Inter-American Development Bank, and, in 2002, was appointed for a further, and final, three-year term which ended in 2004.

He served as Course Director in Constitutional Law and Legal Systems at the Eugene Dupuch Law School, Council of Legal Education from 1999 to 2009. .

In June of 2002, having completed the programme of the Commonwealth Judicial Education Institute at Dalhousie University School of Law, Halifax, Nova Scotia, Canada, he became a Fellow of that Institute.

*Professional Memberships*: Sir Burton is a member of: the Commonwealth Magistrates' and Judges' Association, the Commonwealth Lawyers' Association, and the International Law Association and holds associate membership in the American Bar Association and the Canadian Bar Association.

*Honours*: As is customary in The Bahamas, on becoming Chief Justice, he was made a Knight Bachelor by Her Majesty, Queen Elizabeth II (who has continued as the constitutional Head of State of The Bahamas since Independence in 1973).

In 2003, he was made a Knight of the Equestrian Order of St Sylvester by His Holiness, Pope John Paul II and, in 2009, was invested as a Knight of the Equestrian Order of the Holy Sepulchre of Jerusalem

In 2004, he was awarded the Pelican Alumni Peer award as outstanding alumnus of the University of the West Indies, Cave Hill Campus.

*Family Life:* Married, father of three adult children and grandfather of two.

Name: Vagn Prüsse Joensen

Nationality: Danish

Born: 6 July 1950 in Esbjerg, Denmark

Current residence: Themi Hill, plot 16, 6016 Arusha, Tanzania

Education:
1969, Graduated from Esbjerg Gymnasium
1973, Feb. LL.M. (cand.jur) from Aarhus University.

Full-time employment:
2007, May, *Ad Litem* Judge, UN International Criminal Tribunal for Rwanda
2002, August, Presiding Judge, Danish High Court, Eastern Division, Copenhagen
2001, Feb. International Judge, UN Mission in Kosovo
1994, April, Judge, Danish High Court, Eastern Division, Copenhagen
1982, August, Judge, City Court of Copenhagen
1978, Jan. Legal Officer, Danish Ministry of Justice, Copenhagen
1977, Jan. Ass. Prosecutor, Gladsaxe Police District
1976, Jan. Magistrate, Hvidovre City Court
1974, Jan. Legal Officer, Danish Ministry of Justice, Copenhagen
1973, Mar. Legal Officer, Military Prosecutor's Office, Aarhus (mandatory military service)

Other professional experience (part time)
2007, May, Chair of Rules Committee of UN International Criminal Tribunal for Rwanda
1996-2001, Vicechair/Chair of Appeals Board of Ministry of Commerce, Copenhagen
1984-1994, Chair of Tenancy Dispute Board, Copenhagen
1981-1983, Ass. Lecturer, Copenhagen University
1980-1982, Magistrate, Ballerup City Court
1978-1980, Ass. Prosecutor, District Attorney's Office for Sjaelland
1976-1977, Ass. Lecturer, Social Workers' High School, Copenhagen
1974-75, Private Law Firm
1973, Ass. Lecturer, Aarhus University.

Born: 27 May, 1949, in Copenhagen, Denmark

Education:

1969 Graduated from Herlufsholm College

1993, June LL.D. (Dr. jur.) from University of Copenhagen (Doctoral thesis on the right of Indigenous Peoples to Self-Determination in International Law, 563 pages)

1977, June LL.M. (Cand. jur.) from the Law Faculty of Copenhagen University

**Professional Experience:**

2002, Oct. Senior Legal Officer in Chambers at the *UN International Criminal Tribunal for Yugoslavia*

2002, Jan.-Oct. Senior Lecturer (Docent) in international law at *Copenhagen University*

2001 Mar.-Dec. Judge in the *Danish Eastern High Court*

1998-2001 Associate Professor in international law at *Copenhagen University*

1996-1998 Senior Legal Officer in Chambers with the *ICTR*, Arusha, Tanzania

1988, Jan.-Oct. Visiting Professor at the *Law Faculty of McGill University*, Montréal, Canada

1985 Assistant Professor in international law at the *Law Faculty* of Copenhagen University

1980, Oct Research Scholar at the *Law Faculty of Copenhagen University*

1978-1980 Assistant trial attorney with private law firm, *S. A. Vistisen*, Copenhagen

**Special assignments, appointments and other work experience:**

2003- Member of the *Committee on Jurisdiction* under the Danish Ministry of Justice

2001-2003 Member of the *Greenlandic Commission on Constitutional and International Law*

2000-2002 Member of the *Board for Scientific Research in Greenland*

1999-2000 Member of The Danish Delegation at the *ICC Preparatory Committee* in New York for the drafting of the *Rules of Procedure and Evidence* and the *Elements of Crimes* under the Court's Jurisdiction

1999- Member of the *International Law Committee* of the Danish Red Cross Society

1998, July Member of the *Danish Delegation at the Rome Conference* for Establishment of the Permanent International Criminal Court (ICC)

1994-1995 Editor of the *Nordic Journal of International Law*; since then Member of its *Editorial Board*

1993-1995 Member of the *Danish Refugee Board* (Flygtningenævnet

## Gberdao Gustave KAM

Born on 19 May 1958 in Dolo (Bougouriba, Burkina Faso)
Judicial Officer (Judge), special class, step 4
Currently Judge at the International Criminal Tribunal for Rwanda (ICTR)
***Health status***: Very good
***Nationality***: Burkina Faso
***Decoration***: Medal of Knight of the Burkina Faso National Order of Valour

***Current adress*** :

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- 01 BP 526 Ouagadougou 01 Burkina Faso

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| | Burkina Faso | (+226) 50 31 71 37 |
| ***E-Mail*** : | kamg@un.org | |
| | gberdaokam@yahoo.fr | |

# EDUCATION

| | |
|---|---|
| July 1985 | *Diplôme de Magistrat* (Law School Diploma), *École nationale de magistrature* (National School of Magistracy), *Section internationale* (International Department), Paris. France. |
| July 1983 | *Maîtrise en droit, option Droit privé,* Université de Ouagadougou (École supérieure de Droit) (Masters in Law, University of Ouagadougou, Law School). Burkina Faso |
| June 1978 | *Bacccalauréat série B* (GCE A' level) *Lycée Ouezzin Coulibary de Bobo Dioulasso – Burkina Faso* |
| Other qualifications | (1) *Diplôme universitaire de communicateur en multimédia (création et maintenance de sites Internet, publication assistée sur ordinateur)* (University Diploma in multimedia communication – creation and maintenance of websites, computer-aided publishing).<br>(2) Participation in various internship programmes, seminars and workshops related to my profession as a judicial and legal officer. |

## PROFESSIONAL EXPERIENCE

| | |
|---|---|
| From March 2008 | The President of the ICTR appointed me member of the Rules Committee of the Tribunal. The role of the said committee is to study the Rules in order to propose amendments thereto, where necessary, and to study all amendment proposals so as to give a reasoned opinion thereon to the President and to the Plenary Meeting of Judges. |
| 13 September 2004 | The Secretary-General of the United Nations appointed me, for the first time, as ICTR Judge in the *Seromba* case, in |

accordance with Article 12 *ter*, paragraph 2 of the Statute of the Tribunal.

## International Criminal Tribunal for Rwanda

25 June 2003 Elected by the United Nations General Assembly as *ad litem* Judge of the International Criminal Tribunal for Rwanda (ICTR). The list of *ad litem* Judges was introduced by the Security Council [S/RES/1431 (2002)] to enable the Tribunal to expedite its work.

**Cases**

***The Prosecutor v. Michel Bagaragaza***

Trial commenced in August 2009 and the Trial Chamber delivered its sentencing judgement on 17 November 2009.

***The Prosecutor v. Tharcisse Muvunyi***

Re-trial of the accused after an Appeals Chamber ruling. The Trial Chamber delivered its sentencing judgement on 11 February 2010.

***The Prosecutor v. Callixte Kalimanzira***

31 April 2008 The Secretary-General of the United Nations assigned me to this case. The trial started on 5 May 2008 and the Tribunal estimates that it should end during the first half of 2009.

***The Prosecutor v. GAA***

8 November 2007 The Secretary-General of the United Nations assigned me to this case of contempt of Court in which a protected witness is accused.

4 December 2007 The Accused pleaded guilty to the offence of false testimony and the Trial Chamber delivered its sentencing judgement. To date, this is the only judgement of its kind delivered by the ICTR.

***The Prosecutor v. Siméon Nchamihigo***

18 September 2006 The Secretary-General of the United Nations assigned me to this case. The trial started on 25 September 2006.

24 September 2008 The Trial Chamber delivered its judgement convicting the Accused, including the sentence.

***The Prosecutor v. Édouard Karemera, Mathieu Ngirumpatse and Joseph Nzirorera***

1 September 2005 The Secretary-General of the United Nations assigned me to this case. It is ongoing, and every year, the Chamber renders about 100 decisions.

***The Prosecutor v. André Rwamakuba***

26 May 2005 The Secretary-General of the United Nations assigned me to this case which was the result of the severance of the *Karemera et al.* case. The trial started on 5 June 2006.

20 September 2006 The Trial Chamber delivered its judgement acquitting the Accused.

***The Prosecutor v. Athanase Seromba***

27 August 2004 The Secretary-General of the United Nations assigned me to this case. The trial started on 20 September 2004.

13 December 2006 The Trial Chamber delivered its judgement convicting the Accused, including the sentence.

## Ministry of Justice, Burkina Faso

**July 2004** ***Technical Adviser to the Minister of Justice (alongside my duties as Coordinator of PADEG)***. My role was to assist the Minister in the study of all matters under his authority and to represent him whenever necessary.

2003 **PADEG (*Programme d'appui à la consolidation du processus démocratique, l'état de droit et la bonne gouvernance*) (Programme for the Consolidation of the Democratic Process, the Rule of Law and Good Governance)**

*PADEG National Coordinator, alongside other duties in the Ministry of Justice.*

In this capacity, I was in charge of the preparation and execution of the annual programme of activities and draft budget, the presentation of technical and financial reports to the programme's steering committee, the opening and management of the programme's State-controlled European Development Fund Account. I was also the Authorizing Officer (pursuant to Article 313 of the Lomé IV Convention) regarding the signing of various contracts (works, supplies/equipment) and protocols. Lastly, I was the Manager of local payments expenses. The program specifically aims at providing training in various aspects of the law to magistrates and other officers of the Court (Registrars, Police Officers, Attorneys, etc.), and to human rights organizations. **To that end, we have published some textbooks and compendium on different legal issues: criminal procedure, criminal law, international criminal law, family law, etc.**

***2001-2003*** ***Director of Studies and Planning***

In this capacity, I was in charge of:

(i) centralizing all data relating to the activities of the Ministry and to ongoing projects or projects to be carried out;

(ii) following up and monitoring projects, whether or not such projects were included in development plans and programmes;

(iii) carrying out studies necessary for galvanizing the Ministry, in particular the study and design of the Ministry's projects;

(iv) organizing the award of public contracts that fell under the authority of the Ministry; this comprised the preparation of tender specifications and letters of intent to order;

(v) following up relations with international institutions;

(vi) following up the work of cooperation joint committees;

(vii) preparing, implementing and following up the data processing programme of the Ministry;

(viii) preparing and following up the Ministry's plan of activities;

(ix) preparing and ensuring the implementation of annual and triennial investment programmes of the Ministry.

*1999-2001* ***Director of Civil and Criminal Matters and of the Seal***

My duties consisted of:

(i) following up the activities of various courts regarding civil, commercial, criminal, social and administrative cases;

(ii) monitoring the functioning of regional and district courts (*tribunaux départementaux et d'arrondissement*);

(iii) ensuring the effective implementation of international conventions relating to private law, the service of processes, the transcription of marginal entries in civil status registers, the study of naturalization applications.

**1998-2002** ***Member of the Burkina Faso delegation to the preparatory meetings which preceded the creation of the International Criminal Court*** **(ICC).**

In this capacity, I participated in Rome and at the United Nations Headquarters (New York) in drafting the Statute of the International Criminal Court (1998), the Rules of Procedure and Evidence and in determining the Constituent Elements of Crimes. I also participated in drafting the Financial Rules and Regulations and the Financial Management Rules; the Agreement on Privileges and Immunities and the Agreement on the Relations between the Court and the United Nations Organization.

**2001**

(1) ***Member of the Public Enterprises Privatization Commission***

The Mandate of this Commission whose members came from various professional backgrounds was to privatize some State corporations. I represented the Ministry of Justice in the Commission.

(2) ***Member of the National Codification Commission for proofreading the Criminal Procedure Code and the Law governing the procedure applicable by the Criminal Bench.***

In the Commission, I participated in proofreading the legal texts of the Ministry and gave my opinion on matters that did not directly fall under the Ministry.

**1998-2000**

***Government Representative at the Military Tribunal of Ouagadougou***

In this capacity, I served as Prosecutor before the Military Tribunal and took or caused to be taken all measures necessary for the prosecution of violations of criminal law.

**1996-1999**

***Principal State Prosecutor at the Ouagadougou Court of Appeal***

As Principal State Prosecutor before this Court, my duties consisted of ensuring the application of criminal law throughout the national territory, taking or causing to be taken all measures necessary for the prosecution of violations of criminal law and supervising the work of prosecutors appearing before Courts of First Instance.

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| ***1995-1996*** | ***President of the Koudougou High (Regional) Court (1995-1996)*** |
| **1992-1995** | ***President of the Bobo Dioulasso High (Regional) Court (1992-1995)***<br>In this capacity, I had to decide, at first instance, civil, commercial and criminal cases that fell within the jurisdiction of the High Court and were brought before the said Court. I also ordered protective and restitution measures, as and when necessary. |
| 1988-1992 | ***Lawyer,*** **Cabinet Populaire d'assistance judiciaire –** ***Ouagadougou*** (a law practice in Ouagadougou) Burkina Faso<br>My work consisted of representing and assisting litigants, in particular state corporations and joint ventures, in Court. |
| 1991-1992 | ***Member of the*** **Commission d'enquête indépendante sur les crimes d'assassinat de Oumarou Clément Ouedraogo, de tentative d'assassinat sur la personne de Moctar Tall** *(Commission on an independent inquest into the assassination of Oumarou Clément Ouedraogo and the attempted murder of Moctar Tall)*<br>The Commission carried out all necessary investigations throughout the national territory in order to identify and apprehend the perpetrators and co-perpetrators of the crimes committed on Oumarou Clément Ouadraogo, former member of Government, as well as their accomplices. |
| **1987-1988** | ***President of the Tenkodogo Court of First Instance***<br>In this capacity, I decided, at first instance, civil, commercial and criminal cases that fall under the jurisdiction of the High Court and were brought before it. I also ordered protective or restitution measures, as and when necessary. |
| **1985-1987** | ***Investigating Judge at Bobo Dioulasso Court of First Instance***<br>In this capacity, it was my duty to carry out or cause to be carried out, in accordance with the law, all judicial investigations necessary for the unveiling of the truth. |

## OTHER AREAS OF INTEREST

1986 Member of the *Mouvement burkinabè de lutte contre le racisme, l'apartheid et pour l'amitié entre les peuples* (MOBRAP) (Burkina Faso Association for the fight against Racism and Apartheid and for Friendship amongst Peoples) – An international humanitarian association in Burkina Faso

1989 *Founding Member and Secretary-General of* APED-Liberté: An association for the defence of democracy and freedom.

1992 *Founding Member of* la Ligue des Consommateurs du Burkina *(LCB)* (a Burkina Faso consumers association): The *Ligue des Consommateurs du Burkina* is an association for the defence of consumers' rights. The consumption of illicit, expired and poor quality products has become a public health issue in Burkina Faso.

## KNOWLEDGE OF LANGUAGES

| | | |
|---|---|---|
| **French** | Spoken | Very Good |
| | Reading | Very Good |
| | Written | Very Good |
| **English** | Spoken | Quite Good |
| | Reading | Good |
| | Written | Good |

**Gberdao Gustave Kam**
***Chevalier de l'Ordre National***

# CURRICULUM VITAE

## Gberdao Gustave KAM

Né le 19 mai 1958, à Dolo (Bougouriba, Burkina Faso)
Magistrat de grade exceptionnel, 4ème échelon
Actuellement Juge au Tribunal pénal international pour le Rwanda (TPIR)
En très bonne santé
De nationalité Burkinabé
Chevalier de l'Ordre National.

***Adresses actuelles*** :

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|---|---|---|
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| | gberdaokam@yahoo.fr | |

## FORMATION

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|---|---|
| Juillet 1985 | Diplôme de Magistrat, École Nationale de Magistrature, Section internationale de Paris |

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|---|---|
| Juillet 1983 | Maîtrise en droit, option Droit privé, Université de Ouagadougou (École supérieure de Droit) |
| Juin 1978 | Baccalauréat série B, Lycée Ouezzin Coulibaly de Bobo Dioulasso |
| Autres | (1) Diplôme universitaire de communicateur en multimédia (création et maintenance de sites Internet, publication assistée sur ordinateur)<br>(2) Participation à divers stages, séminaires et ateliers en rapport avec ma profession de magistrat. |

## EXPERIENCE PROFESSIONNELLE

### Tribunal pénal international pour le Rwanda

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| 25 juin 2003 | Election par l'Assemblée générale des Nations Unies comme juge ad litem au Tribunal pénal international pour le Rwanda (TPIR). La liste de juges ad litem a été mise en place par le Conseil de sécurité [S/RES/1431 (2002)] pour permettre au Tribunal d'accélérer ses travaux. |
| 13 septembre 2004 | Le Secrétaire Général des Nations Unies m'a nommé pour la première fois pour siéger au TPIR dans le dossier Seromba, conformément à l'article 12 ter, paragraphe 2 du Statut du Tribunal. |
| 13 octobre 2006 | Par une nouvelle résolution, le Conseil de sécurité a prorogé mon mandat, et celui de tous les Juges du Tribunal, jusqu'au 31 décembre 2009. |
| Depuis mars 2008 | Le Président du Tribunal m'a nommé comme Membre du Comité du Règlement (Rules Committee) du Tribunal qui a pour mandat d'étudier les textes pour faire toute proposition d'amendement nécessaire, et d'étudier toute proposition faite pour donner un avis motivé à la Présidence et à la Plénière des Juges. |

| **Affaires** | ***The Prosecutor v. Michel Bagaragaza*** |
|---|---|
| August 2009 | Trial commenced in August 2009 and the Trial Chamber delivered its sentencing judgement on 17 November 2009. |
| | ***The Prosecutor v. Tharcisse Muvunyi*** |
| | Re-trial of the accused after an Appeals Chamber ruling. The Trial Chamber delivered its sentencing judgement on 11 February 2010. |
| | ***Le Procureur contre Callixte Kalimanzira*** |
| 31 avril 2008 | Le Secrétaire Général des Nations Unies m'a affecté à ce dossier. Le procès a commencé le 5 mai 2008 devrait se terminer selon les projections du Tribunal au cours de la première moitié de 2009. |
| | ***Le Procureur contre Siméon Nchamihigo*** |
| 18 septembre 2006 | Le Secrétaire Général des Nations Unies m'a affecté à ce dossier. Le procès a commencé le 25 septembre 2006. |
| 24 septembre 2008 | La Chambre a rendu son jugement portant condamnation. |
| | ***Le Procureur contre GAA*** |
| 8 novembre 2007 | Le Secrétaire Général des Nations Unies m'a affecté à ce dossier d'outrage à la Cour concernant un témoin protégé. |
| 1er septembre 2005 | ***Le Procureur contre Édouard Karemera, Mathieu Ngirumpatse et Joseph Nzirorera*** |
| | Le Secrétaire Général des Nations Unies m'a affecté à ce dossier. Ce dossier est encore en cours à ce jour, et la Chambre rend environ une centaine de décisions chaque année. |
| 26 mai 2005 | Le Secrétaire Général des Nations Unies m'a affecté à ce dossier qui résulte d'une disjonction de l'affaire *Karemera et consorts*. Le procès a débuté le 5 juin 2006. |
| 20 septembre 2006 | La Chambre a rendu son jugement d'acquittement. |
| | **Le Procureur contre Athanase Seromba** |

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| 27 août 2004 | Le Secrétaire Général des Nations Unies m'a affecté à ce dossier. Le procès a débuté le 20 septembre 2004. |
| 13 décembre 2006 | La Chambre a rendu son jugement portant condamnation. |

## Ministère de la Justice, Burkina Faso

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| **Juillet 2004** | *Conseiller Technique du Ministre de la justice (cumulativement avec les fonctions de Coordonnateur du Projet PADEG)*<br>Ma fonction consistait à assister le Ministre dans l'étude de toutes les questions relevant de sa compétence, et à le représenter toutes les fois que requis. |
| 2003 | **Projet PADEG (Programme d'appui à la consolidation du processus démocratique, l'État de droit et la bonne gouvernance)**<br>*Coordonnateur national du PADEG, cumulativement avec les fonctions au Ministère de la Justice*<br>À ce titre, j'étais en charge de l'élaboration et de l'exécution des devis programmes annuels, de la présentation des rapports techniques et financiers au comité de pilotage du programme, de l'ouverture et de la gestion du compte régie FED (Fonds européen de développement). J'étais aussi l'ordonnateur (en vertu de l'art. 313 de la convention de LOME IV) pour la signature de marchés de travaux, de marchés de fournitures/équipements et pour la signature de protocoles d'accord. Enfin, j'étais le Régisseur pour l'exécution de dépenses de rémunérations locales. Le Programme spécifiquement avait en charge la formation dans divers domaines de droit, des magistrats et tous intervenants en matière de justice |

(greffiers, officiers de police judiciaire, avocats et autres auxiliaires de justice, les associations de défense des droits de l'Homme). Pour ce faire nous élaboré des manuels et précis de droit dans divers domaines du droit : ***Procédure pénale, droit pénal, droit pénal international, droit des personnes et de la Famille…***

**2001-2003** ***Directeur des Etudes et de la Planification***

À ce titre, je devais :

(i) centraliser l'ensemble des données relatives aux activités du ministère et des projets en cours de réalisation ou à réaliser ;

(ii) suivre et contrôler les projets inscrits ou non dans les plans et programmes de développement ;

(iii) réaliser les études nécessaires à la dynamisation du ministère, notamment l'étude et la conception des projets du département ;

(iv) organiser les passations des marchés publics relevant du ministère qu'elle préside, ce qui inclut l'élaboration des dossiers techniques des appels d'offres et des lettres de commande ;

(v) suivre les relations avec les institutions internationales ;

(vi) suivre les travaux des commissions mixtes de coopération ;

(vii) élaborer, exécuter et suivre le schéma informatique du ministère ;

(viii) élaborer et de suivre le planning des activités du ministère ;

(ix) élaborer et assurer l'exécution des programmes annuels et triennaux d'investissements publics et du Ministère.

**1999-2001** ***Directeur des affaires civiles pénales et du sceau***

Il relevait de mes attributions de

(i) suivre l'activité des juridictions civiles,

commerciales, pénales, sociales et administratives ;
(ii) contrôler le fonctionnement des tribunaux départementaux et d'arrondissement ;
(iii) veiller à l'application effective des conventions internationales intéressant le droit privé la remise d'actes judiciaires, la transcription des mentions marginales sur les registres d'état civil, l'instruction des demandes de naturalisation.

**1998 à 2002** *Membre de la Délégation du Burkina Faso ayant participé aux travaux qui ont conduit à la création de la Cour Pénale Internationale*

À ce titre, j'ai participé à Rome et au siège des Nations Unies (New York) à l'élaboration du Statut de la Cour pénale internationale (1998) ; à l'élaboration du Règlement de procédure et de preuve et des Éléments des crimes ; à l'élaboration du Règlement financier et des règles de gestion financière ; de l'accord sur les privilèges et immunités ; et de l'accord sur les relations entre la Cour et l'ONU.

**2001** (1) *Membre de la commission de privatisation des entreprises publiques*

Cette commission de composition multidisciplinaire avait pour mandat d'assurer la privatisation de certaines sociétés d'Etat. J'y étais au titre du Ministère de la Justice.

(2) *Membre de la Commission Nationale de Codification pour la relecture du Code de procédure pénale et de la Loi portant procédure applicable à la Chambre Criminelle*

Au sein de la Commission, je devais participer à la relecture des textes juridiques du Ministère et donner des avis sur des domaines ne relevant pas directement du ministère.

**1998-2000** *Commissaire du Gouvernement près le Tribunal*

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| | ***Militaire de Ouagadougou***<br>À ce titre, je devais assurer les fonctions du ministère public devant le tribunal militaire, et procéder ou faire procéder à tous actes nécessaires à la poursuite des infractions à la loi pénale devant le tribunal militaire. |
| **1996-1999** | ***Procureur Général près la Cour d'Appel de Ouagadougou***<br>Il relevait de mes attributions d'assurer les fonctions du ministère public devant la Cour d'Appel, de veiller à l'application de la loi pénale sur le territoire national, de procéder ou faire procéder à tous actes nécessaires à la poursuite des infractions à la loi pénale, et de contrôler l'activité des Procureurs devant les juridictions du premier degré. |
| **1992-1996** | ***Président du Tribunal de Grande Instance de Koudougou* (1995-1996)** |
| **1992-1995** | ***Président du Tribunal de Grande Instance de Bobo Dioulasso* (1992-1995)**<br><br>À ce titre, je devais rendre des décisions judiciaires au 1er degré dans les affaires civiles, commerciales, et pénales relevant de la compétence du T.G.I. et dont le Tribunal avait été saisi, et prescrire des mesures conservatoires ou de remise en état qui s'imposent. |
| **1988-1992** | ***Avocat*, Cabinet Populaire d'assistance judiciaire – Ouagadougou**<br>Mon travail consistait à représenter et à assister les parties et principalement les sociétés d'état, d'économie mixte en justice, à postuler, conclure et plaider devant les juridictions compétentes dans leurs intérêts. |

**1991-1992** *Membre de la Commission d'Enquête Indépendante sur les crimes d'Assassinat de Oumarou Clément OUEDRAOGO, de tentative d'assassinat sur la personne de Moctar Tall*
La Commission a procédé à toutes les investigations requises sur l'ensemble du territoire national pour rechercher, appréhender les auteurs, coauteurs, complices des crimes commis sur la personne de Oumarou Clément Ouédraogo, ancien membre du Gouvernement.

**1987-1988** *Président du Tribunal de Première Instance de Tenkodogo*
À ce titre, je devais rendre des décisions judiciaires au 1er degré dans les affaires civiles, commerciales, et pénales relevant de la compétence du T.G.I. et dont le Tribunal avait été saisi, et prescrire des mesures conservatoires ou de remise en état qui s'imposent.

**1985-1987** *Juge d'instruction au Tribunal de Première instance de Bobo Dioulasso*
Il relevait de ma responsabilité de procéder ou faire procéder, conformément à la loi, à tous les actes d'information jugés utiles pour la manifestation de la vérité.

## AUTRES CENTRES D'INTERET

**1986** Membre du Mouvement Burkinabé de Lutte contre le Racisme, l'Apartheid et pour l'Amitié entre les Peuples (MOBRAP) Mouvement associatif à caractère humanitaire international au Burkina Faso

**1989** Membre Fondateur et Secrétaire Général de l'APED-Liberté : Mouvement associatif pour la défense de la Démocratie et de la liberté.

**1992** Membre fondateur de la Ligue des Consommateurs du Burkina

(LCB) :

La Ligue des Consommateurs du Burkina (LCB) est une association de défense des consommateurs. La consommation de produits illicites, périmés et de mauvaise qualité est devenue une question de santé publique.

## CONNAISSANCES LINGUISTIQUES

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| Français | Parlé | très bien (courant) |
| | Lecture | très bien (courant) |
| | Ecrit | très bien (courant) |
| Anglais | Parlé | assez bien |
| | Lecture | Bien |
| | Ecrit | bien |

**Gberdao Gustave Kam**
***Chevalier de l'Ordre National***

**Liu Daqun**

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The Hague Netherlands
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Email: Liu.icty.@un.org

*Date of Birth and Place:* Shandong China, 20 September 1950.

*Current Position:*
Judge in the Appeals Chamber of the International Tribunals for former Yugoslavia and Rwanda,
Vice President of the Chinese Society of International Law,
Associate Member of the Institute of International Law.

*Education:*
B.A, English Department, Beijing Foreign Language Institute (1977);
Law Certificate, International Law College of Foreign Affairs, Beijing, (1978);
M.A, International Law and International Relations, Fletcher School of Law and Diplomacy, Tufts University, U.S.A.(1986);

*Professional Experience:*
Judge in the Appeals Chamber in the ICTY and ICTR, (Since 2005), Presiding over *Sainovic* Case before the ICTY and *Gatete* Case before the ICTR;
Judge re-elected of the ICTY by the UNGA, (2004)
Presiding Judge of the Trial Chamber I, ICTY, (Since 2001-2005), Presiding over *Matinovic* Case, *Blagojevic* Case and *Holilovic* Case, etc;
Judge Re-elected by the General Assembly in 2001;
Judge of the ICTY appointed by the Secretary General of the UN in 2000;
Ambassador of the People's Republic of China to Jamaica, (1999-2000);
Permanent Representative of the People's Republic of China to the International Seabed Authority, (1999-2000);
Deputy Director-General, Treaty and Law Department of the Chinese Foreign Ministry, (1993-1998);
Director of International Law Division, Treaty and Law Department, Foreign Ministry, (1991-1993);
Director of the Law of the Sea Division, Treaty and Law Department, Foreign Ministry, (1988-1991);
Director of Private International Law Division, Treaty and Law Department, Foreign Ministry, (1984-1988);
Working in the Chinese Embassy in Iceland, (1978—1982);

**Academic experience:**

*Visiting Professor of International Law:*

China's University of Law and Political Science (Since 1994); Law School of Wuhan University, China (Since 1997); China Foreign Affairs University(since 1998);Law School of Mid-China University of Science and Technology (since 2001); Criminal Law Research Center of the People's University(since 2001); Law School of the People's University(since 2004); Law School of Harbin Industrial University(since 2005); Criminal Law Research Center of Beijing Normal University (since 2008); China's South West University of Law and Political Science(since 2011).

**Academic Positions:**

Executive Member of Chinese Society of International Law ( since 1982); Executive Member of Chinese Society of Environmental Law (since 1988); Executive Member of Chinese Society of the Law of the Sea (1990-1999); Vice-President of Asian Society of International Law (2007-2009); Vice-President of Chinese Society of International Law (2007-2011); Associate Member of the Institute of International Law (since 2007)

***Lectures and Seminars:***

On International Human Rights Law, *Law Department, People's University* (1989); On International Environmental Law, *Environmental Center, Wuhan University* (1990); On the United Nations Convention on the Law of the Sea, *The Institute of Chinese Academy of Social Sciences* (1992-1995); On the Establishment and Negotiation of the International Criminal Court, *Law school of Beijing University* (1997-1998); On the Development of International Criminal Law, *Law School of Hong Kong University* (2001); The Development of the Jurisprudence of the *ad hoc* Tribunals, *Law School of Hong Kong University* (2002); Genocide in International Law, *University of North Texas, USA* (2003); On International Criminal Law, *Law School of People's University* (2002-2004); Contribution of the ICTY to International Criminal Law, *Law School of Tsinghua University* (2005); The Applicable Law before the ad hoc Tribunals, *Law School of Leiden University, the Netherlands* (2005); On Substantive Justice and Strict Legality, *China's Judges' College* (2005); On the Theory of International Law, *Law School of Harbin Industrial University* (2005); Completion Strategy for the ICTY, *Law School of Katholieke Universiteit Leuven* (2006); State Criminal Responsibility, *Chinese Society of International Law* (2007); China and International Criminal Law, *Law School of Leiden University* (2008); On Modality of crime, *Summer School for Professionals from Asian Countries. Bangkok, Thailand* (2008); Terrorism and Armed Conflict, *Summer School for Professionals from Asian Countries, Bali, Indonesia* (2009); Crime of Genocide, *Summer School for Professionals from Asian Countries, Bali, Indonesia*,(2010); War Crime as adopted by the Review Conference of the ICC,*Oslo University, Norway, Erasmus University, Rotterdam*(2010).

**International activities:**

*A Delegate, Legal Advisor of the Chinese Delegation to:*
The 6th Committee of the UNGA(1986, 1989, 1993, 1995); Hague Conference on the Private International Law (1987, 1996); Asia and Africa Legal Consultative Committee (1984, 1987, 1989, 1990 and 1996) and diplomatic or contracting party's conferences of Climate Change (1993, 1994, 1995), Biodiversity(1993), Desertification(1994), Illicit Traffic of Narcotic Drugs (1988) and the conference of the UN Convention on the Law of the Sea (1990,1994, 1997, 1999). Deputy Head and Chief Negotiator of the Chinese Delegation to the Rome Conference on the Establishment of the International Criminal Court;

***Principal Publications:*** Author of numerous books and articles in Chinese and English.

**Books:** (including as a co-author or editor)
The Law of International Organizations, *Beijing University Press*, 1995; New Area of International Law, *China's Academy of Social Science Publishing House*, 1995; Commentary on the Charter of The United Nations (1999), *Shanxi Educational Press*, 1999; International Criminal Law, *China's Encyclopedia* (2004); Commentary on the Rome Statute on International Criminal Court, *Beijing University Press*, (2006).

**Selected Articles:**
Contribution of the Asian and African Consultative Committee to the Progressive Development of International Law, *Research on International Issues*. Vol. II, 1987; On the Subject of Extradition, *Law Research*, Vol. 1, 1989; International Legislations on Environmental Law, *Jurisprudence*, Vol.2 1990; The amendments on the Montreal Protocol on the Protection of Ozone Layers, *China Environment Science*, Vol. 3 1990; China and International Legislations on Environmental Law, *China Environment Science*, Vol. 3 1990; Basic Principles of International Environmental Law, *Journal of Wuhan University*, Vol. 2, 1991; On the Law of International Protection of Plants and Animals, *China's Year Book of International law*, 1991; On the Voting Procedure of the Security Council, *Law Research*, Vol. 2, 1992; United Nations and Regional Organizations, *China's Yearbook of International law*, 1993; On the Reform of the United Nations, *China's Yearbook of International Law* 1995; On the United Nations Convention on Climate Changes, *China's Yearbook of International law*, 1995; On the Establishment of the International Criminal Court, *China's Yearbook of International law*, 1997; Trigger Procedure of the Prosecutor in the International Criminal Court, *Law Research*, Vol. 3, 1998; Genocide in International Law, *Journal of Wuhan University*, Vol. 4, 2000; The New Development of International Criminal law at the Juncture of the Centuries, *Jurist*, People's University, No. 2, 2000; The Functions of Judges in International Criminal Tribunals, *Jurist*, People's University, No.3 2001; Crimes against Humanity, *Criminal Law Review*, Vol. 4,2003; On Plea Agreement before International Criminal Tribunals, *Criminal Law Review*, No.4, 2003; *Ne bis in idem* in International

Criminal Law, *Application of Law*, No.2, 2004; War Crime in Non-International Armed Conflict, *Journal of Fudan University*, 2004;On Crime of Aggression, *International Law Review of Wuhan University*, No.3, 2005; On the Sources of International Criminal Law, *International Criminal law Review*, No.1, 2005; On Universal Jurisdiction in International Law, *PKU International and Comparative Law Review*, 2006; Internal Armed Conflicts in International Law, *International Law Review of Wuhan University*, Vol.1, 2007; On State Criminal Responsibility, *Review of Criminal Law*, 2008; Command Responsibility in the Jurisprudence of the ICTY *Individual Rights and International Justice, Giuffre Editore, Milano, 2009; Actus Reus* and *Mens Rea, Oxford Companion of International Criminal Justice. 2009;* Legacy of International Tribunal for Former Yugoslavia and International Tribunal for Rwanda, *International Law Review of Wuhan University*, No.4, 2010; Crimes of terror in the jurisprudence of the International Criminal Judicial bodies, *China's Yearbook of International Law, 2010;* One Man's Convention---- In Commemoration of the 60th Anniversary of the entry into force of the Genocide Convention, *PKU International and Comparative Law Review*, Vol. 2, 2011.

# 个人简历

姓名：　刘大群
出生日：1950年9月20日
出生地：中国山东莱芜
国籍：　中国
地址：　Churchillplein 1，2517 JW 荷兰，海牙
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职务：联合国前南斯拉夫问题国际刑事法庭及卢旺达问题国际刑庭上诉庭法官
　　　中国国际法学会副会长
　　　国际法研究院院士（Institute de Droit International）

**教育背景：**

1973年至1977年曾在北京外国语学院学习英文。

1977年至1978年在北京外交学院进修英文，国际法。

1985年至1986年曾在美国塔夫茨大学弗莱彻外交与法律学院学习国际法并取得硕士学位。

**工作经历：**

2005年，任前南国际刑庭和卢旺达国际刑庭上诉庭法官，主审前南国际刑庭塞谱维奇上诉案和卢旺达国际刑庭葛塔塔上诉案。

2004年 联合国大会再次当选为前南斯拉夫问题国际刑事法庭法官。

2001年 联合国大会选举为前南国际刑庭法官；同年，当选为前南国际刑庭第一审判庭庭长。曾任马蒂诺维奇案、布拉哥叶维奇和哈利洛维奇等案的主审法官。

2000年 联合国秘书长任命为前南国际刑庭法官，接替王铁崖法官余下任期。

1999年至2000年 中华人民共和国驻牙买加大使，常驻国际海底管理局代表。

1993年至1998年 曾任外交部条法司副司长，主管联合国的法律问题，海洋法和国际刑法。

1991年至1993年 曾任外交部条法司国际法处长，主管联合国和联大六委的法律问题。

1988年至1991年 曾任外交部条法司海洋法处处长，主管国际海洋法与环境法。

1984年至1988年 曾任外交部条法司国际私法处处长，主管司法协助、国际刑法和国际人权法等事务。

1978年至1982年 在中华人民共和国驻冰岛大使馆工作

**学术职务：**

自1994年起，任中国政法大学国际法兼职教授。

自 1997 年起，任武汉大学法学院国际法兼职教授；
自 1998 年起，任北京外交学院国际法兼职教授；
自 2001 年起，任中国人民大学刑事法律科学研究中心特邀研究員；
华中科技大学法学院兼职教授；
自 2004 年起，中国人民大学法学院兼职教授；
自 2005 年起，任哈尔滨工业大学法学院特聘教授；
自 2008 年起，北京师范大学刑事法律科学研究中心特邀研究員；
自 2011 年起，西南政法大学兼职教授；
自 1982 年起，中国国际法协会常务理事；
自 1988 年起，中国环境法学会常务理事；
自 1990 年至 1999 年，中国海洋法学会常务理事；
自 2007 年至 2009 年，亚洲国际法学会副主席。
自 2007 年至 2011 年，中国国际法学会副会长；
自 2007 年，国际法研究院院士。

### 学术讲座：

国际人权法，中国人民大学法学院 （1989 年）
国际环境法， 武汉大学环境法中心 （1990 年）
联合国海洋法公约， 中国社会科学院法学研究所 （1992 年 – 1995 年）
国际刑事法院的建立与谈判， 北京大学法学院（1997 年 – 1998 年）
国际刑法，中国人民大学刑事法律科学研究中心 （2002 年 – 2004 年）
国际刑事审判机构的法理与发展，香港大学法学院 （2002 年）
国际法上的灭绝种族罪，美国德克萨斯州大学法学院 （2003 年）
国际刑法上的普遍管辖权，北师大刑事法律科学研究中心，（2004 年）
国际刑事审判中的实质正义与严格合法性原则，中国法官学院，（2005 年）
前南国际刑庭对国际刑法的发展与贡献，清华大学法学院，（2005 年）
国际刑事司法审判中的法律适用问题，荷兰莱顿大学法学院 （2005 年）
怎样学习国际法系列讲座，哈尔滨工业大学法学院 （2005 年）
前南国际刑庭的完成战略，比利时鲁文大学法学院 （2006 年）
国家的刑事责任问题，中国国际法学会 （2007 年）
中国与国际刑法，莱顿大学法学院 （2008）
犯罪形态论，美国东西方中心，暑期班 （2008）泰国曼谷
恐怖主义与武装冲突，美国东西方中心，暑期班（2009）印尼
灭绝种族罪，美国东西方中心，暑期班（2010）印尼
经 ICC 审查大会通过的侵略罪，奥斯陆大学国际法中心(2010)挪威，Erasmu
大学，鹿特丹

职务经历：

作为中国代表团的代表、法律顾问和团长多次出席国际立法会议，如：联合国大会、联大六委（1986 年、1989 年、1993 年和 1995 年），联合国禁止非法贩

麻醉品和精神药物公约制订外交会议（1988 年），海牙国际私法会议（1987 年、1996 年），亚非法律协商委员会会议（1984 年，1987 年、1989 年，1990 年和 1996 年），气候变化公约会议（1993 年、1994 年和 1995 年），生物多样性公约会议（1993 年），荒漠化公约会议（1994 年），联合国海洋法公约会议（1990 年，1994 年，1997 年，1999 年），特别是作为中国代表团的副团长和首席谈判代表出席了制订建立国际刑事法院罗马规约的外交大会.

主要著述:

著作，如: 《国际组织法》北京大学出版社， 1995 年出版;《国际法的新领域》中国社会科学院出版社， 1995 年出版;《联合国宪章诠释》山西教育出版社，1999 年出版;《国际刑法》中国大百科全书，2004 年;《国际刑事法院罗马规约评释》北京大学出版社，2006 年;

文章，如

"亚非法律协商委员会对国际法渐进发展的贡献" 《国际问题研究》，1987 年第 2 期; "论引渡的主体" 《法学研究》，1989 年第 1 期;《国际环境立法的新发展》《法学》，1990 年第 2 期; "论对蒙特利尔保护臭氧层议定书的修改" 《中国环境科学》1990 年第 3 期; "中国与国际环境立法" 《中国环境科学》1990 年第 3 期; "论国际环境法的基本原则" 《武汉大学学报》1991 年第 2 期; "论国际动植物保护法" 《中国国际法年刊》1991 年; "论联合国安理会的表决程序" 《法学研究》1992 年第 2 期; "联合国与地区性组织" 《中国国际法年刊》1993 年; "论联合国的改革" 《中国国际法年刊》1995 年; "评联合国气候变化公约" 《中国国际法年刊》1995 年; "论国际刑事法院的建立" 《中国国际法年刊》1997 年; "论国际刑事法院检察官的起诉程序" 《法学研究》1998 年第 3 期; "论国际法上的灭绝种族罪" 《武汉大学学报》2000 年第 4 期; "论国际刑法在世纪之交的新发展" 《法学家》2000 年第 2 期; "论国际刑事审判机构中法官的作用" 《法学家》2001 年第 3 期; "论危害人类罪" 《刑事法评论》2003 年第 4 期; "国际刑事审判机构中的诉辩协议" 《刑事法评论》2003 年第 4 期; "国际刑事司法机构中的"一案不二审" 《法律适用》2004 年第 2 期; "非国际性武装冲突中的战争罪" 《复旦大学学报》，2004 年第 3 期; "论侵略罪" 《武大国际法评论》2005 年第 3 期; "论国际刑法的渊源" 《刑事法评论》2005 年第 1 期; "论国际法上的普遍管辖权" 《北大国际法与比较法评论》2006 年; "国际法上的国内武装冲突" 《武大国际法评论》2007 年第 1 期; "论国际法上的国家刑事责任问题" 《刑事法评论》2008 年; "前南国际刑庭案例中的指挥官责任 "载于 "个人权利与国际正义 "Giuffre Editore, Milano, 2009 p. 495; "行为要件与心理要件" 国际刑事司法牛津指南，2009 年出版; "前南国际刑庭与卢旺达国际刑庭的历史回顾" 《武大国际法评论》，2010 年第 4 期; "国际刑事司法机构司法实践中的恐怖罪" 《中国国际法年刊》2010 年; "一个人的公约——纪念《灭种公约》生效 60 周年" 《北大国际法与比较法研究》2011 年第 2 期.

## JUSTICE E.C. MASANCHE

### PERSONAL PARTICULARS:

**Address** : **P.O. Box 20437**
**Dar es Salaam**
**Tanzania**
**Email** : **masanchej@yahoo.com**
**Contact # +255754384423**

**Date of birth** : **7 March 1944**

**Nationality** : **Tanzanian**

**Marital status** : **Married**

### EDUCATIONAL AND PROFESSIONAL BACKGROUND:

LLB (Bachelor of Laws) from the University of East Africa; Graduated in 1970. I have been on the Bench for 38 years, 19 years as a Magistrate and 19 years as a Judge of the High Court of Tanzania. I have been a sitting Judge for uninterrupted period of 20 years and 2 years as an Ad litem Judge of the International Criminal Tribunal for Rwanda (ICTR).

### SERVICE PARTICULARS:

| | |
|---|---|
| 2009 – 2011 | Ad – litem Judge of the International Criminal Tribunal for Rwanda (ICTR) |
| 2006 – 2008 | Judge in charge High Court of Dodoma, Tanzania |
| 2001 – 2006 | Judge in charge High Court of Mwanza, Tanzania and High Court of Bukoba, Tanzania |
| 1996 – 2000 | Judge in charge High Court of Tabora, Tanzania |
| 1990 – 1996 | Judge of the High Court of Tanzania - Mwanza High Court |
| 1989 | Judge of the High Court of Tanzania - Dar Es Salaam. |
| 1981 – 1989 | Chief Resident Magistrate |
| 1980 – 1981 | District Registrar, High Court of Tanzania, Mbeya |
| 1979 – 1980 | Senior Resident Magistrate in charge Moshi, Tanzania |
| 1978 – 1979 | Senior Resident Magistrate |
| 1977 – 1978 | Senior Resident Magistrate in charge Bukoba, Tanzania |
| 1975 – 1977 | Resident Magistrate in charge Kigoma, Tanzania |
| 1974 | Resident Magistrate – Korogwe, Tanzania |

| | |
|---|---|
| 1973 – 1974 | Resident Magistrate – Tanga, Tanzania |
| 1970 – 1972 | Resident Magistrate – Moshi, Tanzania<br>(Started a new Resident Magistrate's Court)<br>(In charge Kivukoni Court, Dar Es Salaam.)<br>(In charge Kisutu Court, Dar Es Salaam) |

## MEMBERSHIP TO INTERNATIONAL ORGANISATIONS:

Member of: the **World Society of Victimology** – admitted in Montreal Canada, at The 10th International Symposium of Victimology.

Member of the **European Forum for Victim – Offender Mediation and Restorative Justice.**

Life member of the **World Society of Victimology.**

Member of the **International Council of Jurists.**

## MEMBERSHIP TO NATIONAL ORGANISATIONS

Member - Tanganyika Law Society

Advocate of the High Court of Tanzania

## INTERNATIONAL/ NATIONAL CONFERENCES ATTENDED AND PAPERS PRESENTED:

In 1984 attended **Peace Research Course**, University of Oslo, Norway (2 Months) –was graded 'A'.

Attended a Conference (UNICRI) on **Understanding Crime: Experience of Crime and Crime Control**, in Rome, between 18/11/1992 and 20/11/1992 – presented a paper **"Experiences of Crime and Crime Control, Case of Tanzania".**

Attended **CRIMSA'S (Criminological Society of South Africa) International Conference**, in Pretoria, South Africa, between 2/9/1993 and 3/9/1993. Presented a paper; "Violence and Corruption – Case of Tanzania".

In 1996 presented a paper titled **"Drug Crimes and Drug Cases: The experience of Tanzania." to the International Crime Conference**, in Pretoria - South Africa.

In March 1997 attended a Seminar on **Constitutionalism for Tanzanian Judges at** Trinity College, Dublin - Republic of Ireland. 12 **Judges** attended.

Have attended several local Seminars and Conferences of Judges and Magistrates, organized by the Judges and Magistrates Association of Tanzania.

In year 1998 attended The **12th International Congress on Criminology**, in Seoul, South Korea. Presented a paper **"Juvenile Delinquency and Juvenile Justice: The Experience of Tanzania".**

Attend the **10th International Symposium on Victimology**, in Montreal-Canada (August 2000). Presented a paper: **Victims of Crime: Women: In Murder Cases: Samples from Tanzanian Courts.**

Attended a 4 day Seminar in Sofia, Bulgaria, organized by the **European Forum for Victim – Offender Mediation and Restorative Justice** – 29/9/ 2005 to 1/10/2005.

Attended the **Kenya National Judicial Colloquium on Environmental Law,** held in Mombasa,Kenya, between 10th and 13th January 2006.

Attended the **12th International Symposium on Victimology,** of **the World Society of Victimology,** Orlando, Florida U.S.A, August 20 – 25, 2006.

Attended the **Second International and Sixth Biennial Conference of the Indian Society of Victimology,** in Chennai-India, from 8 - 10 February 2007- presented a paper **" Rape Cases in Tanzanian Courts: Has the wrath of the Law Changed Anything?"** Also chaired one of the plenary sessions.

Attended the **13th International Symposium on Victimology,** in Japan (Mito) – 22 to 30 August 2009…. Chaired one of the Plenary Sessions.

Attended the **International Conference of Jurists for Judicial Reforms** (13 – 15 June 2009, in London, United Kingdom).

Attended the **6th Biennial Conference and 10th Anniversary of the European Forum for Restorative Justice,** in Bilbao, Spain (17 – 19 June 2010).

# Biographical Note

## Judge Theodor Meron

Since his election to the International Criminal Tribunal for the Former Yugoslavia (ICTY) by the U.N. General Assembly in March 2001, Judge Meron, a citizen of the United States, has served on the Appeals Chamber, which hears appeals from both the ICTY and the International Criminal Tribunal for Rwanda (ICTR). Between March 2003 and November 2005, he also served as President of the ICTY. A leading scholar of international humanitarian law, human rights, and international criminal law and the author of some of the books and articles that helped build the legal foundations for international criminal tribunals, Judge Meron has contributed to the development of international law, and especially international humanitarian and criminal law, in a variety of fora.

As President of the ICTY, Judge Meron spearheaded a series of reforms designed to increase the efficiency of court proceedings and enhance the synergy between common law and civil law systems so as to strengthen the role of the judge in managing court proceedings, while maintaining a firm commitment to fairness and due process. These reforms included the revision of the rules of procedure to produce more focused indictments and allow different national jurisdictions to hear cases referred by the ICTY; amendment of the ICTY's Statute to enable *ad litem* judges to take a greater role in pre-trial proceedings; and the formation and revitalization of working groups dedicated to improving the speed with which trials and appeals are conducted. During his term as President, he was also instrumental in helping to establish the War Crimes Chamber in Sarajevo, an important step in the development of the rule of law in the Balkans and a key advancement for both the national prosecution of war crimes and the ICTY's completion strategy.

In his role as a Judge in the Appeals Chamber, Judge Meron has presided over or participated in deciding the appeals judgments in a number of seminal cases, including *Rutaganda* (addressing the nexus required between war crimes and armed conflict); *Krstić* (clarifying the parameters of genocide in relation to crimes committed in Srebrenica); *Brđanin* (clarifying the scope of the crime of persecution and key principles of joint criminal enterprise); *Mrkšić and Šljivančanin* (elaborating norms concerning the protection of prisoners of war); *Zigiranyirazo* (elucidating the law concerning the burden of proof for alibis); and *Kalimanzira* (clarifying the law governing the crime of incitement to genocide). He has also helped to decide contempt and review proceedings, as well as tens of interlocutory appeals addressing key questions of procedural and substantive law. He is currently presiding over the appeals of Ante Gotovina and Mladen Markač.

Prior to his election to the ICTY, Judge Meron was a Public Member of the U.S. Delegation to the CSCE Conference on Human Dimensions in Copenhagen in 1990. In 1998, he served as a member of the U.S. Delegation to the Rome Conference on the Establishment of an International Criminal Court (ICC), where he was involved in the drafting of the provisions on crimes, including war crimes and crimes against humanity. He also served on the Preparatory Commission for the Establishment of the ICC, with particular responsibilities for the definition of the crime of aggression. He has acted as counsel for the United States before the International Court of Justice, and in 2000-2001 served as Counselor on International Law in the U.S. Department of State.

Judge Meron has also served on several committees of experts of the International Committee of the Red Cross (ICRC), including those on Internal Strife, on the Environment and Armed Conflicts, and on Direct Participation in Hostilities under International Humanitarian Law. In addition, he was a member of the steering committee of ICRC experts on Customary Rules of International Humanitarian Law. Judge Meron is a frequent lecturer at ICRC seminars, and he founded and continues to lead the annual ICRC seminars for U.N. diplomats on international humanitarian law at New York University, a tradition spanning nearly three decades.

A member of the "Panel of Eminent Persons within the Swiss Initiative to commemorate the 60th anniversary of the Universal Declaration of Human Rights," Judge Meron is now a member of the successor panel on human dignity. He has also served on the advisory committees or boards of several human rights organizations, including Americas Watch and the International League for Human Rights. In addition, he is a member of the Institute of International Law, the Board of Editors of the *Yearbook of International Humanitarian Law*, the (U.S.) Council on Foreign Relations, the French Society of International Law, the American Branch of the International Law Association, and the Bar of the State of New York. Judge Meron is the Honorary President and a patron of the American Society of International Law. He served as Co-Editor-in-Chief of the *American Journal of International Law* from 1993 to 1998 and is now an honorary editor.

Judge Meron, who received his legal education at the Universities of Jerusalem, Harvard (where he received his doctorate), and Cambridge, became a professor of international law at New York University School of Law in 1978. In 1994 he was appointed the Charles L. Denison Chair, and he is now Charles L. Denison Professor Emeritus and Judicial Fellow at New York University School of Law. Between 1991 and 1995 he was also Professor of International Law at the Graduate Institute of International Studies in Geneva, and he has been a Visiting Professor of Law at Harvard University and at the University of California (Berkeley).

He has been a Carnegie Lecturer at The Hague Academy of International Law, Fellow of the Rockefeller Foundation, Max Planck Institute Fellow (Heidelberg), Sir Hersch Lauterpacht Memorial Lecturer at the University of Cambridge, and Visiting Fellow at All Souls College, Oxford. He was also the Marek Nowicki Lecturer in Budapest and Warsaw under the auspices of the Open Society Institute. He has lectured at many universities as well as at the International Institute of Human Rights (Strasbourg). A frequent contributor to continuing education courses for French judges and prosecutors at the École Nationale de la Magistrature in Paris, he delivered the 2003 General Course of Public International Law at The Hague Academy of International Law.

Judge Meron was awarded the 2005 Rule of Law Award by the International Bar Association and the 2006 Manley O. Hudson Medal of the American Society of International Law. In 2007 he was made Officer of the Legion of Honor by the government of France. The recipient of the Charles Homer Haskins Prize of the American Council of Learned Societies for 2008, he was also elected Fellow of the American Academy of Arts and Sciences in 2009. In 2011 he received a doctorate honoris causa from the University of Warsaw.

A frequent contributor to the *American Journal of International Law* and other legal journals and a Shakespeare enthusiast who has written widely on the laws of war and chivalry in Shakespeare's historical plays, Judge Meron is the author of more than 100 articles in legal publications. His books are: *Investment Insurance in International Law* (Oceana-Sijthoff 1976); *The United Nations Secretariat* (Lexington Books 1977); *Human Rights in International Law* (Oxford University Press 1984); *Human Rights Law-Making in the United Nations* (Oxford University Press 1986) (awarded the certificate of merit of the American Society of International Law); *Human Rights in Internal Strife: Their International Protection* (Sir Hersch Lauterpacht Memorial Lectures, Grotius Publications 1987); *Human Rights and Humanitarian Norms as Customary Law* (Oxford University Press 1989); *Henry's Wars and Shakespeare's Laws* (Oxford University Press 1993); *Bloody Constraint: War and Chivalry in Shakespeare* (Oxford University Press 1998); *War Crimes Law Comes of Age: Essays* (Oxford University Press 1998); *International Law In the Age of Human Rights* (Martinus Nijhoff 2004); *The Humanization of International Law* (Martinus Nijhoff 2006); and *The Making of International Criminal Justice: A View from the Bench: Selected Speeches* (Oxford University Press 2011).

# CURRICULUM VITAE

## B.J. MOLOTO

**Surname** : Moloto

**First Name** : Bakone Justice

**Postal Address** : P.O. Box 690
Witkoppen, 2068

**Telephone** : + 31 65 127 1057 (m)
+ 31 70 512 5484 (w)

**Fax** : + 31 70 512 5252

**Date of Birth** : 26 July 1944

**Educational Qualification** : B.A, B. Proc (UNISA)

**Professional Qualification** :
(1) Admitted as an attorney of the High Court of South Africa
(2) Conveyancer

**EMPLOYMENT HISTORY:**
Nov. 2005 to date : Judge at the International Criminal Tribunal for the Former Yugoslavia

**Responsibilities** : Hearing cases of war crimes, crimes against humanity and grave breaches of the Geneva Conventions of 1949, committed in the territory of the former Yugoslavia since 1991.

**January 2003 to date (seconded to ICTY):** Judge of High Court of South Africa
Transvaal Provincial Division

**Responsibilities** : Hearing cases in the High Court, Transvaal Provincial Division

**December 1995** : Judge: Land Claims Court of South Africa

**Responsibilities** : Hearing cases in the Land Claims Court, Giving Judgements in such cases and generally assisting, with other judges of the Court, in the management and running of the Court, addressing the human resources requirements of the court and generally seeing to the smooth running of the Court.

**Nov. 1993 to Nov. 1995** : Contracts Manager
Fuel and Water Department, Eskom.

Responsibilities : Managing the Contracts Section of the Fuel and Water Department, negotiating Eskom's Coal Supply Agreements, monitoring implementation thereof, negotiating amendments where necessary. Giving legal opinion to the department and other departments in Eskom. Drafting amendments, documentation and correspondence where appropriate. Member of the Management Team of the Department.

**January 1993 to October 1993**: Assistant Contract Support Manager
Fuel and Water Department, Eskom.

Responsibilities : Negotiating, drafting, monitoring maintaining Eskom's Commercial Contracts mainly the Coal Supply Contracts to Eskom's Power Stations. Giving legal opinion on general matters and drafting appropriate correspondence and/or other documentation, where necessary. Attending and participating in the Department's Management meetings.

**July 1987 to December 1992:** Executive Director
Black Lawyers Association Legal Education Centre.

Responsibilities : Developing programme of activities for the Centre, recruiting and engaging staff, supervising execution of the programme and activities, drawing and monitoring annual budgets, developing and executing a fundraising strategy, performing public relations duties for the Centre, providing guidance and leadership to staff, assisting staff in execution of the programme and activities. Drawing Annual Reports, performing professional duties. Conducting public interest litigation.

**April 1986 to June 1987** : Managing Partner of the firm Baqwa, Moloto Nzimande, Webster and Mbuli (Firms of Attorneys).

**July 1978 to March 1986** : Sole partner of the firm J Moloto & Co (Firm of Attorneys).

Responsibilities : Performing all managerial and professional duties of the firm. See page 5 below.

**April 1976 to June 1978** : Candidate Attorney in the firm of Frank Sithole & Company up and to May 1978. In June 1978 worked as a qualified attorney in the same firm.

**1975** : Worked as a Law Clerk in the firm A V B. Nyembezi (Attorneys), but had to leave as the Firm could not article me as a Candidate Attorney.

**1971 to 1974** : Employment by the Bantu Investment Corporation as accounts clerk. This job was taken under pressure as at the time I was under a banning order in terms of the Suppression of Communism Act and was banished to Mafikeng.

Responsibilities : Keeping of books of accounts from books of prime entry to ledgers, drawing annual returns of same from the regional office and performing switchboard duties.

Reasons for leaving : Banning order expired and I desired to relocate elsewhere where I could obtain Articles of clerkship in order to qualify as an attorney. None of the attorney's firms in Mafikeng was prepared to engage me as I was a "communist".

1969 to 1971 : Working as an Executive President and later as General Secretary of the University Christian Movements, which sought to reconcile the practice of Christianity with Christian preaching in an Apartheid South Afrida.

Reason for leaving : Banning and Banishment.

**EDUCATION**

**1968** Attended the University College of Fort Hare (then a college of Unisa) but was suspended mid-year for involvement in student politics.

**1967** : Taught as a Private Teacher, first at Orlando West High School and later at Tshidi Barolong High School.

**1965 to 1966** : Attended the University College of Fort Hare but was rusticated for the year of 1967 because of involvement in student politics.

1964 : Attended the University College of the North but left because I wanted to pursue studies in law. Then I was reading Science.

1963 : Completed Matric.

## EXPERIENCE PROFESSIONAL

My professional experience over the years has equipped me to handle the following areas with confidence: contracts, delict, commercial transactions, property law, matrimonial matters, labour law, human rights, constitutional matters, criminal law, insurance and personal injury and administration of estates.

## PROFESSIONAL DUTIES: 1976 TO 1992

The under mentioned amplify the professional duties I did as a candidate attorney and practicing attorney in the years 1976 to 1992.

1 Consultations with clients on instructions relating to their matters, giving verbal and written opinion.

2 Litigation in civil maters from instructions to finality in:

  a) Matrimonial matters
  b) Delictual claims
  c) Contractual claims
  d) MVA claims

3 Litigation in criminal matters from instructions to finality.

4 Civil litigation in both Magistrate's and Supreme Courts, as well as criminal litigation in both courts.

5 Drafting of wills and contracts.

6 Administration of Estates.

7 Conveyancing.

8 Negotiation of settlements and drawing of settlement documents.

## MEMBERSHIP OF BOARDS

1. Past Member of the Legal Aid Board

2. Past Trustee of the Black Lawyers Association Legal Education Trust.

3. Past Chairman, National Archives Advisory Council

# LEE G. MUTHOGA, JUDGE, SC

## *PROFESSIONAL PROFILE AND BIO-DATA*

### *PERSONAL DETAILS*

| | |
|---|---|
| **NAME:** | LEE GACUIGA MUTHOGA Judge, SC, Advocate, LLB (EA), FCIArb, FICPS(K) |
| **DATE OF BIRTH:** | 1945 in Nyeri County, Kenya |
| **MARITAL STATUS:** | Married with 4 children |
| **NAME OF SPOUSE:** | CHARITY MUKAMI MUTHOGA |
| **RESIDENCE:** | NAIROBI/ARUSHA |
| **ADDRESS:** | P 0 BOX 47614-001 00 GPO, NAIROBI or<br>P.O.BOX 6016, ARUSHA, TANZANIA |
| **PHYSICAL ADDRESS:** | 7th Floor, Bruce House<br>Standard Street, Nairobi |
| **TELEPHONE:** | 254-02-317459, +254 722 791899<br>+255 27 2565146, +255 784 202975 |
| **E-mail address:** | muthoga@un.org<br>muthoga@mgmail.co.ke |
| **FAX:** | 254-02-226928 |
| **NATIONALITY:** | Kenyan |
| **OCCUPATION:**<br>**1971 – 2003** | Legal Practice since 1971; Founding Partner in the Firm of Muthoga, Gaturu & Company Advocates specialising in Business Law, Civil and Common Law Litigation and |

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| | **Arbitration, Environmental Law, Estate and Property Management Law, Trusts and Securities.** |
| **2003 – to-date:** | **Judge ICTR 2003-2008** |

## *WORK EXPERIENCE:*

### PRIVATE PRACTICE:

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| **1971-1972** | **Legal Assistant in the law firm of *Hamilton, Harrison & Matthews*, Nairobi, Kenya** |
| **1972-1975** | **Founder/Sole Partner in the law firm of *Muthoga Gatura & Company Advocates*** |
| **1975-2003** | **Founder/Senior Partner in the law firm of *Muthoga Gatura & Company Advocates*** |
| **2003 – date** | |

| **SERVICE AT THE ICTR** | **ASSIGNED CASES** |
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| **2003** | ***Prosecutor v. Bizimungu et al (Government I)***<br>• **Case involving four Government Ministers.**<br>• **Currently in judgement writing phase.**<br>• **Judgement scheduled for delivery in August 2011.** |
| **2004** | ***Prosecutor v. Mika Muhimana***<br>• **Case involving single accused**<br>• **Judgement delivered in April 2005**<br>• **Judgement upheld on Appeal** |
| **2006** | ***Prosecutor v. Protais Zigiranyirazo***<br>• **Case involving single accused**<br>• **Judgement delivered in December 2008**<br>• **Accused acquitted on Appeal November 2009** |
| **2009** | ***Prosecutor v. Léonidas Nshogoza***<br>• **Case involving single accused**<br>• **Charge of contempt of the Tribunal**<br>• **Judgement delivered in July 2009**<br>• **Appeals Chamber affirmed decision** |

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| **2009** | *Prosecutor v. Dominique Ntawkulilyayo*<br>• Case involving single accused<br>• Judgement delivered in August 2010<br>• Case currently before the Appeals Chamber |
| **2010** | *Prosecutor v. Jean Baptiste Gatete*<br>• Case involving single accused<br>• Judgement delivered in March 2011<br>• Case currently before the Appeals Chamber |
| **2011** | *Prosecutor v. Idelphonse Nizeyimana*<br>• Case involving single accused<br>• Trial in progress<br>• Judgement delivery scheduled for first quarter 2012 |
| **Additional Assignments** | Hearing in three cases for transfer to national jurisdictions<br>• *Prosecutor v. Laurent Bucyibaruta* referred to France<br>• *Prosecutor v. Wenceslas Munyeshyaka*: referred to France<br>• *Prosecutor v. Yussuf Munyakazi:* Transfer denied |

## *PORTFOLIOS HELD IN MUNICIPAL INSTITUTIONS*

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| **1971** | Enrolled as an Advocate of the High Court of Kenya |
| **1976-1984** | Member of Council of the Law Society of Kenya |
| **1977-1979** | Chairman of Professional Ethics Committee of Law Society of Kenya (LSK) |
| **1979-1981** | Vice-chairman Law Society of Kenya |
| **1979-1983** | Chairman of Legal Aid Committee of the Law Society of Kenya |
| **1976 – to-date** | Served as Member of the Board of Governors and/or PTAs of various schools and other institutions including:-<br>1. Nairobi Primary School<br>2. Kenya High School<br>3. Mathenge Technical Institute<br>4. Nyahuru High School<br>Member of the Education and Publicity Committee of the Law Society of Kenya |

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| **1981-1983** | Chairman of the Law Society of Kenya |
| **1981-1995** | Member of the Council of Legal Education |
| **1986-2002** | Served as Moderator of the Council of Legal Education examinations on Evidence and Construction of Documents |
| **1985-1990** | Chairman of the Sales Tax Appeals Tribunal |
| **1985-1991** | Chairman of the International Commission of Jurists (ICJ)-Kenya Section |
| **1986-1996** | Served in the High Court as a Commissioner of Assize |
| **1989-2002** | Chairman of the African Network for Prevention Against Child Abuse and Neglect (ANPPCAN Kenya Chapter) |
| **1990-1996** | Chairman V.A.T Appeals Tribunal |
| **1991** | Admitted as a Fellow of the Chartered Institute of Arbitrators (FCARB) |
| **1993** | Qualified as a Certified Public Secretary (K) (ICPSK) |
| **2003** | Conferred Rank and Dignity of Senior Counsel. |
| **2003** | Served as Chairman of Tribunal to consider and advise on the conduct of Judges. |
| **2003** | Elected Judge at the UNICTR – Arusha |
| **2005** | Enrolled in the Roll of Honour of the Law Society of Kenya |

## *MEMBERSHIP OF AND SERVICE IN INTERNATIONAL INSTITUTIONS*

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| | Member of International Panel of Arbitrators of Asian-African Legal Consultative Committee |
| | Member of The International Bar Association Section on Business Law and Section on General Practice.<br>Member of the Commonwealth Lawyers Association |
| **1981-1986** | Served as Chairman President of the African Bar Association (ABA). |

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| **1983-1990** | Served as Member of The International Advisory Board of The Lawyers Committee for International Human Rights |
| **1979-1984** | Served as Director of Liberty International |
| **" "** | Served as Director of The International Centre of Ethnic S Studies |
| **1978-1984** | Served as one of Founder Directors of the Public Law Institute |
| **1991-1994** | Served as Trustee of the Kenya Alliance for Advocacy on Children Rights (KAAC). |
| **1996** | Organised workshop On The Rights Of Children: Agenda for The African Charter on the Rights of Children |
| **OCTOBER, 1989** | Attended the Ministry of Planning and National Development meeting on the Goals and Strategies for Children in the1990 |
| **DECEMBER 4-8, 1989** | Organised the ANPPCAN National Conference on Promotion of the Ratification and Implementation of the UN Convention on the rights of the child |
| **DECEMBER, 1989** | Attended Unicef/Pana seminar on Child Survival, Protection, and Development |
| **APRIL-MAY, 1990** | Participated in The Kindernothile (Knh) training of Trainers seminar on the Convention on The Rights Of The Child |
| **AUGUST,1990** | Regional Consultative meeting on The World Summit for Children |
| **SEPTEMBER, 1990** | Attended AACC Consultation on the "African Debt Crisis as it affects Human Rights" at Maseru, Lesotho |
| **1990** | Attended the 23rd Biennial Conference of the International Bar Association in New York, U.S.A |
| **1991** | Attended NGO Forum on Effective Participation in Local and Global Child Development at Kadoma, Zimbabwe. |
| **1992** | Attended The OAU International Conference on the Assistance to African Children (ICAAC) in Dakar, Senegal |

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| **1992** | Organised the P.C.D.C seminar on The Management of Democratic Change under the auspices of the Association of Professional Societies in East Africa (APSEA). |
| **MAY 1993** | Attended and presented a paper at a symposium titled "Towards Economic Policies for the Prevention of Serious Human Rights Violations" organised jointly by The World Organisation Against Torture and The International Commission of Jurists in Mombasa, Kenya. |
| **SEPTEMBER, 1993** | Attended The 2nd African Conference On Child Abuse and Neglect organised by SASPCAN in Cape Town, South Africa |
| **SEPT-OCT, 1993** | Undertook a UNICEF Consultancy on Review of The Zambian Law, Relating To The Child |
| **OCTOBER 1993** | Attended a sub-regional Workshop on The Impact of Armed Conflict on Children and Women in East Africa organised by UNICEF in Kampala, Uganda. |
| **SEPTEMBER 1994** | 10th Congress on Child Abuse -Kuala Lumpur, Malaysia |
| **DECEMBER 13TH-15TH 1994** | Attended and presented a paper at a Seminar on "Corruption, Democracy and Human Rights in East and Central Africa" organised by the African Leadership Forum in conjunction with Transparency International in Uganda. |
| **MAY 1995** | Attended a consultative meeting on The Childrens Bill 1995 organised by the Kenya Alliance For The Advancement of Children. |
| **MARCH 1996** | Attended and presented a paper at a Consultation on the African Child in Zimbabwe on the theme "Generation At Risk: Hope For The Future" |
| **MARCH 26th-28th 1996** | Attended Workshop on "Legal Protection from Child Prostitution" -Pretoria, South Africa |
| **APRIL 1996** | Attended the Executive Committee Meeting of End Child Prostitution in Asia -Tokyo, Japan. |
| **AUGUST 1996** | Attended the World Congress on Commercial Sexual Exploitation of Children -Stockholm, Sweden |

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| **JULY 1997** | Attended the UNICEF conference on "Children in Situations of Armed Conflict in Africa" in Addis Ababa, Ethiopia |
| **DECEMBER 1997** | Attended a Regional Seminar on Child Rights and Child Protection in Kenya organised by the Coalition on Child Rights and Child Protection in Kenya in Nakuru. |
| **JANUARY1998** | Attended a seminar on Child Rights and Child Protection in Kenya organised by the Coalition on Child Rights and Child Protection in Kenya in Nyeri. |
| **NOVEMBER 16TH-19TH 1998** | Attended and presented a paper at a Provincial Workshop on "'child Rights Awareness Raising For Opinion leaders" in Kisumu, Kenya. |
| **NOVEMBER 24TH-25TH 1998** | Attended a special meeting on the Special Committee on Children in Situations of Armed Conflict in Nairobi. |
| **JANUARY 19TH-23RD 1999** | Attended and presented a paper at a Provincial Workshop on Child Rights Awareness Raising for Opinion Leaders in Embu, Kenya. |
| **FEBRUARY 1999** | Attended and presented a paper in a provincial workshop on Child Rights Awareness Raising For Opinion Leaders in Nairobi. |
| **MAY 10TH -11TH 1999** | Attended Workshop in Nairobi on the Implementation of Treaty based Rights of Women and Children in Kenya. |
| **MARCH 20TH -21ST 1999** | Attended and presented a paper at a workshop to discuss the Anti-corruption and Economic Crimes Bill in Nairobi. |

## *PROFESSIONAL & PUBLIC RESPONSIBILITY*

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| | Founder Director of The Public Law Institute |
| **1984-1993** | Law Society Representatives on The Council of The Association of Professional Societies of East Africa. |
| **1986-1998** | Served as Chairman Nairobi Primary School Parents Teachers Association (PTA). |
| **1986-2003** | Served as Director of Shangilia Mtoto wa Africa (A street children rehabilitation and training NGO). |

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| **1998-2005** | Served as Chairman Kenya High School Parents Teachers Association(PTA). |
| **1989-2004** | Chairman African Network For Prevention and Protection Against Child Abuse & Neglect (ANPPCAN) (Kenya Chapter) General Counsel ANPPCAN Regional Office. |
| **1990** | Served as Chairperson ANPPCAN Committee on Ratification of The African Charter on The Rights & Welfare of The Child |
| **1991** | Served as a Member of the Kenya African National Union (KANU) committee to review the Party Rules (Saitoti Committee). |
| **1993-1996** | Member of Kenya Task Force on the Plan of Action for Implementation of The World Summit Goals on Child Survival and Development |
| **1993-1998** | Member of The Law Reform Task Force to Review Children Law |
| **1994** | Served on Task Force on the Management and Status of the Kenya School of Law. |
| **1994** | Founder Member Transparency International (Kenya Section) |
| **1995** | Chairman Steering Committee of the National Street Children Network |
| | Trustee and Founder Member Kenya Alliance for Advocacy on Children's Rights |
| | Served as a MemberISecretary to The National Election Monitoring Unit (NEMU)<br>Served as The Secretary to The NEMU Council of Elders |
| **2003** | Head, Public Inquiry into the Busia Air Crash |
| **2003** | Member, National Anti-Corruption Campaign Steering Committee. |

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| **2003** | Judge ad litem of the United Nations International Criminal Tribunal for Rwanda (UNICTR). |
| **2003** | Chairman, Tribunal to Hear Cases Against High Court of Kenya Judges Accused of Corruption. |
| **2006-to date** | Member of Board of Governers of Kenya High School. |
| **2007-to date** | Trustee of P.C.E.A. St. Andrews Church Nairobi |
| **2010** | Appointed Chairman Insurance Appeals Tribunal. |

## *PUBLISHED AND OTHER PAPERS, ADDRESSES AND OTHER CONTRIBUTIONS IN SEMINARS, WORKSHOPS, BOOKS AND PERIODICALS*

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| **DECEMBER, 1988** | Delivered a Presentation on "Child Rights In Kenya" at The Launching of Unicef's Report for 1989 |
| **MARCH, 1989** | Keynote address to the Mini Workshop on "Advocacy and Action for Ratification and Implementation of Children Rights" by Child Welfare Society of Kenya |
| **JULY-AUGUST, 1985** | Delivered a Paper on "Children Rights In Kenya" delivered at The Population Communication Management Course. |
| **DECEMBER 14th, 1989** | Delivered a paper on "The Convention on The Rights of The Child" delivered to the Unicef / Pana seminar for African Journalists on Child Survival Protection and Development. |
| **MARCH 6th 1991** | Delivered a paper On "The Debt and Economic Crisis as it affects Children" at the NCCK/ESP Workshop on The Debt and Economic Problems in Africa |
| **NOVEMBER,1991** | Delivered a Paper on "The Convention on The Rights of The Child" delivered to The NCCK Workshop on Education On Preparatory Democracy |
| **APRIL,1992** | Delivered keynote address at The Seminar on "Press Freedom" In A Multi State" organised by the African Council for Communication Education and Nation Newspapers |

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| **MAY 1993** | Delivered a paper titled "Violations Committed Against Children" |
| **NOVEMBER-3TH 1993** | Lectured at The Early Childhood Trainers Induction Course on the Rights of The Child |
| **DECEMBER 1994** | Delivered a paper on the Effects of Corruption on Democracy. |
| **MARCH 1996** | Delivered a paper on Children's Rights and The African Child: Their Attainment Preservation And Protection. |
| **NOVEMBER 1998** | Delivered a paper titled "Problems of Billing in Third World Law Practices" |
| **FEBRUARY 1999** | Delivered a paper on Child Rights and The Kenyan Constitution. |
| **AUGUST 1999** | Delivered a paper titled Judicial Discipline: A Code of Conduct. |
| **MARCH 2000** | Delivered a paper titled "The Fight Against Corruption-Where To Begin" |

**PUBLICATIONS**

**Law and Society** Published by the ICJ (Kenya Section) 1989 The Role of a Lawyer in Developing Country pages 49-52 Printed by English Press Ltd PO Box 30127, Nairobi.

**Africa: A New Lease on Life "Towards economic policies for the prevention of serious human rights violations"** Published by OMCTISOS - Torture for the Kenya Symposium, 191 Violations Committed Against Children pages 105-113

**Urban Crime: Global Trends and Policies** Published by United Nations University 1989 Contributor pages 162-199 Printed by the Hong Kong University Press

**Law And The Administration of Justice In Kenya** Published by the International Commission of Jurists Kenya Section 1942 Contributor pages 195-203 Printed by General Printers Ltd

**Hearing on Street Children in Kenya** Published by ANPPCAN 1995 Keynote address pages 9 11 Printed by African Medical Research Foundation (AMREF)

## ***CURRICULUM VITAE* OF JUSTICE AMINATTA LOIS RUNENI N'GUM:-**

### PERSONAL DETAILS:-

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| **NAME:-** | Aminatta Lois Runeni N'GUM [Mrs] née Annie Lois Runeni RUREDZO |
| **DATE & PLACE OF BIRTH:-** | 7th June, 1953, Harare, Zimbabwe [Then Salisbury, Rhodesia.] |
| **NATIONALITY:-** | Zimbabwean - birth, Gambian - marriage pursuant to Section 11 of the Constitution of the Republic of The Gambia 1997. |
| **MARITAL STATUS:-** | married 06 February 1981 |
| **OCCUPATION:-** | Judge, The Gambia Court of Appeal – on leave of absence. |
| **CONTACT DETAILS:** | ruwisa@hotmail.com + 1 301 849 3712 home + 1 202 651 1185 mobile |

### EDUCATIONAL BACKGROUND:-

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| **June 2008** | DELF Levels B1 and B2 French |
| **Sept. 2005** | LL.M in Public International Law with an International Criminal Law Specialisation from Leiden University, The Netherlands. |
| **Continuous** | French, Information Technology, Westlaw, Lexis Nexis and TRIM. |
| **July to Sept. 1992** | First Judicial Administration Course - Royal Institute of Public Administration London, U.K.. |
| **March 1980** | Called to the Gambian Bar and appointed Magistrate Class I. |
| **9/79 to 3/80** | Pupillage under Mr. Henry Myers Esq. 9 Stone Buildings, Lincoln's Inn, Lon. U.K. |
| **July 1979** | Bar Finals Inns of Court School of Law, Gray's Inn Place, London U.K. Called to the Bar of England and Wales as an Utter Barrister. |
| **1978** | Law and Sociology Joint Honours B.A.; Subsidiary Subjects - Biology and Politics -Keele University Staffordshire, U.K. |
| **1970 and 1972** | "O" and "A" Levels St. Augustine's High School, Penhalonga, Zimbabwe. |

### EMPLOYMENT RECORD:-

**01/02/2010 to date** **Judge, Gambia Court of Appeal – on leave of absence from 01 Feb. 2011**

My thirty-two years legal and judicial experience culminated in my appointment as Judge of the Gambia Court of Appeal (JA) 01 February 2010. During the November 2010 Supreme Court Session, I was appointed as Acting Justice of the Supreme Court [Ag. JSC] to be part of The Supreme Court of The Gambia Panel of five JSC that heard and determined civil and criminal appeals as well as a panel of seven JSC that heard and determined an Application for Review, for which I wrote the lead Ruling. My duties as JA include but are not limited to hearing and determining civil and criminal appeals on merit as well as interlocutory appeals to The GCA in a panel of three JAs. Sometimes I hear and determine interlocutory appeals as a single JA in chambers. I do the research, draft and finalise judgments, orders, rulings and decisions in cases that are assigned to me. I make constructive comments on draft judgments, orders, rulings and decisions made by other JAs on the Panel. I actively participate and make informed discussions regarding cases before us. I finalise judgments, rulings and decisions written by me and write concurring and/or dissenting opinions as and when necessary. I made constructive comments to "The Gambia Government, The Gambia Judiciary Manual for Magistrates in Court Proceedings funded by the Commonwealth Secretariat." I attend continuous judicial training programmes for Judges of Superior Courts as well as attend and actively participate in several workshops and Seminars e.g. Seminar for West African Judges on Money Laundering in June 2010.

I am on leave of absence from 01 February 2011 whilst my spouse is Gambia's Ambassador to the USA and Gambia's High Commissioner to Canada. I am a Visiting Researcher at the International Law Institute USA. My diplomatic and negotiations skills are honed as I attend and actively participate in official Diplomatic functions; in THIS for Diplomats meetings and functions; as Member International Association of Women Judges which has enabled me to attend National Association of Women Judges meetings; as Member Spouses of African Ambassadors Association; as Board Member Mhina Tumaini Foundation; as Board Member Policy Council of the Tahirih Justice Centre which works to protect immigrant women and girls seeking justice in the United States from gender-based violence; and as member Mothers Against Drunken Driving. I also fundraised for charity, walking 39.3 miles for the Avon Walk for Breast Cancer Washington DC 2011 and registered for New York Walk in October.

**1/10/09 to 31/01/2010 Self employed – Senior Legal Practitioner – MIMOSOJI Legal & Consultancy Chambers:** Represent Clients in civil and criminal cases before the Supreme Court, Gambia Court of Appeal, High Court and Magistrates' Court. Interview clients, prepare the requisite legal documents and provide advice.

**August 2008 to Jan 2009 Nominated for the vacant post of Judge ICC by The Gambia Government:** I honed my diplomatic and negotiation skills by actively taking part in the campaign and actively participating in the Coalition for the International Criminal Court [CICC] organised Panel Discussions of Judicial Candidates held in The Hague November 2008 and in New York January 2009 respectively. I was interviewed by Ambassadors and or ICC State Party representatives from 50 States in the space of one week.

**18/7/99 to 30/9/09 Legal Officer; – UN International Criminal Tribunal for Rwanda** [UNICTR]: I successfully adapted to a multi cultural & multi ethnic environment, coping with responsibilities of an International Civil Servant as Legal Officer UNICTR for ten years two months during that I served as Deputy Chief & Coordinator in the Court Management Section (CMS) in Arusha Tanzania for five years eight months, 18 July 1999 to 05 December, 2001 & 01 July 2006 to 30 September 2009. I was Team Leader supervising Staff CMS, the contact person for Trial Chamber I, II, III &/or IV ensuring that proceedings before, during & after the Trial and Appeals Chamber were conducted smoothly. I represented the Registrar in & out of court; drafting in English & supervised the drafting in English &/or French, Registrar's Representations pursuant to Rule 33B of the Rules of Procedure and Evidence to the Trial & Appeals Chamber Judges, Correspondence with the Parties to the cases i.e. Defence Counsel, Accused Persons & the Office of the Prosecutor, correspondence with other Sections. I certified Trial & Appeals Chamber Judgments and Decisions before transmission to the Judges, the Parties & the general public. I acted as Officer in Charge CMS on several occasions whilst the Chief, CMS was on leave, on mission or Acting Deputy Registrar. I supervised the preparation of the Judicial Calendar & Motions lists. I prepared the requisite appeal documents including the Registrar's Certificate. I certified & dispatched judgments after delivery. I contributed to the CMS Report to the Expert Group & the CMS part of the ICTR Annual Report & Budget Proposals for CMS to be presented to the General Assembly. I improved my French, IT & people management skills.

As Head of the Appeals Support/Registry Unit in The Hague, The Netherlands for two years 06 December 2001 to 21 December 2003, I ensured that the Appeals Chamber received the requisite support from the Registry. I invigilated Applicants on behalf of the Human Resources Section, interviewing candidates for vacancies in the Section & writing reports that I transmitted from The Hague to Arusha. I also fostered the ICTY/ICTR cooperation & networked with other International Tribunals in The Hague, Universities & NGOs. I organized the successful move from ICTY Main building to the Beach Building in Scheveningen with provision of adequate office space, furniture & equipment for the ICTR Unit Staff. I addressed Invitees to the launching of the ICTR database by Utrecht University in The Netherlands. I was admitted to Leiden University for the part-time LL.M in Public International Law with an International Criminal Law Specialisation. I attended Supranational Criminal Law Lectures organised by Leiden University at the Hague Campus, & two Intensive courses in French with the *Talen Instituut Regina Coeli.*

Deputy Chief & later Officer in Charge of the Defence Counsel & Detention Management Section [DCDMS] in Arusha Tanzania for two years six months 21 December 2003 to 30 June 2006. I ensured that Accused Persons, Appellants and their Counsel, Legal Assistants & Investigators received the requisite support to ensure speedy proceedings, fair trial and their rights were duly protected. I supervised the taxation of Defence Costs & authorised reimbursement of claims for costs, travel & other expenses. I ensured that Office accomodation, furniture and equipment was provided to Defence Counsel and Staff DCDMS. I maintained & updated the Registrar's List of Counsel that are eligible for assignment to ICTR indigent suspects or accused. I made recommendations for the assignment of Lead or Co-Counsel to the Registrar & Deputy Registrar. I drafted documents in English & supervised the drafting in English &/or French of the Registrar's Submissions pursuant to Rule 33(B) of the Rules of Procedure & Evidence to the Trial &/or the Appeals Chamber. Correspondence with the Registrar, Deputy Registrar, Chief of Administration, Defence Counsel, Detainees & other Section Chiefs were sent by or through me. As Certifying Officer, I prepared & administered the DCDMS bi-annual Budget, the Legal Aid Fund & the Trust Fund. I supervised & advised the Commanding Officer United Nations Detention Facility [UNDF] on legal affairs affecting detainees including their representation through discussions, advice, correspondence & visits to discuss with Detainees & Staff at UNDF. The Accused's rights to legal representation of his choice & in a language that he understands were respected. I ensured that the Bar Association &/or University is contacted & a written confirmation placed in the file before a recommendation for assignment as Lead or Co-Counsel is transmitted for the Deputy Registrar or Registrar's review. My leadership skills were enhanced as I advised and supervised legal & administrative staff in CMS & DCDMS & I appraised their performance as First or Second Reporting Officer. I also interviewed potential candidates for vacant posts in the CMS or DCDMS. Attended a People Management Training Programme for Senior Managers; a Training Course for Middle Managers and Staff Outreach Support [S.O.S.] Provider & gender mainstreaming in the workplace. Special Post Allowance was authorised from 01 November 2004 to 30 June 2006.

**1/4/98 to 4/99** **Judicial Secretary** - JUDICIAL SERVICE COMMISSION:
I was the first holder of the post of Judicial Secretary that was created under the Constitution of the Second Republic of The Gambia 1997 which was equivalent to a Permanent Secretary post in other Ministries, & I had to be creative in designing the requisite duties & responsibilities to be performed. I supervised the work of all judicial & administrative staff i.e. Master of the High Court - maintaining the Roll of Legal Practitioners eligible to practise in The Gambia, and Magistrates in all the Divisions, Sheriff's Bailiff, Registrars. I provided the requisite legal, judicial & administrative support to the Judges of the High Court, Court of Appeal & the newly created Supreme Court. As Secretary to the Judicial Service Commission I prepared all the documents for interviews of Judges, Magistrates & senior staff, attended & participated in the interview panel & wrote the recommendation to be sent to the President in case it was an interview for a Judge's post. I also prepared & controlled the Judiciary's annual budget & expenditure on the Recurrent Budget & Nominal Roll as well as the Development Budget which the Solicitor General used to control. I started the electronic version of the annual budget. I authorised expenditure, discussed the plan of the new Supreme Court building & ensured that the Contractor worked according to the plan. I authorised renovations of the Magistrates Courts in all the divisions & the provision of furniture & equipment. I organised, facilitated and took part in continuous Judiciary Training for Judges, Magistrates & Legal Practitioners. I passed the Alliance Franco-Gambienne Debutante I and II examinations as well as Intermediare I and II. I also took the IT part-time course for Permanent Secretaries. I drafted a programme/plan of action for the Judiciary that was accepted by the Chief Justice and Judges and presented to the Secretary General Office of the President for inclusion in a National Plan to be used by the National and International Consultants for the UNDP funded Good Governance Project. As Secretary to the JSC and assistant to the Chief Justice, I dealt with very confidential as well as sensitive administrative matters.

**5/1994 to 31/3/98 Private Legal Practitioner, Senior Counsel** to the Commission of Inquiry into Land Administration, **Assistant Editor** Gambia Law Reports, **Part-Time Law Lecturer:**
As Private Legal Practitioner, I represented Accused Persons in civil, criminal and miscellaneous cases &/or appeals before the Magistrates' Courts, High Court & the Gambia Court of Appeal. I was Counsel for the Plaintiff(s) or the Defendant(s) in Civil cases. I interviewed witnesses, prepared submissions, motions, pleadings, opening and closing statements & other requisite correspondence. As Assistant Editor, I edited several cases for The Gambia Law Reports 1994. As a Part-time Lecturer at the Gambia Technical Training Institute [GTTI], I researched, prepared for lectures & taught Criminal law, Contract, Tort & Company Law to ILEX "A" Level Law & Diploma in Law Students. As Senior Counsel to the Commission of Inquiry into Land Administration, I liaised with the Investigators, checked the different layouts & survey plans, researched the requisite law, interviewed potential witnesses, wrote statements & discussed the issues with the Chairperson & Commissioners. I presented the case for the State, examined-in-chief, cross-examined & re-examined witnesses before the Commission. I assisted in writing the Final Report that was presented to the President. I also attended continuous legal and judicial training programmes at home & abroad. Finally, as Chairperson of the Legal Aid Subcommittee, I advised & represented several persons *pro bono* when I prepared *habeus corpus* applications & other requisite documents.

**EMPLOYER:- JUDICIAL SERVICE COMMISSION; GAMBIA GOVERNMENT:**

**5/1990 to 5/1994** **Master of the Supreme Court. 8/1989 to 5/1990 Acting Master:**
As Master of the Supreme Court, I had judicial functions of a Judge in Chambers, wrote & delivered decisions on

preliminary motions in civil cases & taxation of Legal Practitioners' costs. I heard & determined serious criminal cases before the Magistrates' court, e.g. Drug Traficking by a Tourist and stealing gold by Police Officers who were supposed to be guarding the stolen exhibit in another case. I wrote & delivered decisions, orders & judgments. I maintained & updated the Roll of Legal Practitioners eligible to practise before the Gambian Courts; enrolling qualified Legal Practitioners. In addition, I supervised the work of all Magistrates, legal & administrative staff. I dealt with Motions for setting a date for hearing; accounts for winding up companies as well as taxation of bills of costs for Defence Counsel. As Accounting Officer I used my IT knowledge to prepare computerised Estimates for the Recurrent Budget & Nominal Roll. In addition, I was involved in supervising the building of the High Court and Court of Appeal Complex in Banjul & the purchase of furniture & other equipment for the Judges & Staff, as well as the successful move to the new building. I also attended the First Commonwealth Judicial Administration Course for Commonwealth countries at the Royal Institute for Public Administration [RIPA] in London U.K. Finally, I organised, facilitated and took part in continuous Judiciary training programmes for Judges and Magistrates in conjunction with the CMJA. As Secretary to the JSC and assistant to the Chief Justice, I dealt with very confidential as well as sensitive administrative matters.

**2/1987 to 7/1989 Principal Magistrate; 9/1981 to 1/1987; Senior Magistrate; 15/3/1980 to 8/1981 Magistrate Cl I:** My post-call experience commenced with ten years judicial experience when I was appointed as an ex-patriate Class I [Stipendiary] Magistrate in The Gambia. My duties were Legal and judicial - hearing and determining Criminal, Civil including Administrative Law, Traffic, Family - Maintenance and Juvenile cases. Administrative functions of assigning cases to other Magistrates and general administration of a Magisterial Division came with seniority Senior or Principal Magistrate as Head of a Division - Kanifing Magistrates' Court and Brikama Magistrates' Court in the Western Division. I wrote and delivered judgments, orders and decisions. Hearing and determining one case, the Police charged the Accused Person with Indecent Assault for which the maximum sentence would have been two years imprisonment. During the testimony of the four year old girl, and when the exhibits were tendered, I was convinced that the Accused Person should have been charged with rape. I stopped the proceedings, remanded the Accused Person in custody and wrote a recommendation to the Chief Justice. The case was referred to the Attorney General who brought the charge of rape. The Accused Person was found guilty in the High Court and was sentenced to twenty years imprisonment. This paedophile was put off the streets.

## RELEVANT PUBLICATIONS:-

**2010 to 2011**Judgments, Rulings, Orders and Decisions delivered when I am a Judge Gambia Court of Appeal as well as when Acting Judge of the Supreme Court of The Gambia. http://www.gov.gm/judiciary/index.php

**2005** Thesis LL.M Public International Law with International Criminal Law Specialisation, Leiden University, Netherlands "Freedom of Expression & the Right to Restrict such Freedom, Experience of Africa & the Diaspora".

**1994** The Gambia Law Reports 1994 as Assistant Editor.

## REFERENCES:

| *Reference Name* | *Business or Occupation* | *Telephone Number* | *Address* |
|---|---|---|---|
| 1. **Judge Mehmet Guney** | Appeals Chamber Judge<br>UNICTR/UNICTY | +31 629565692<br>*Country*<br>Netherlands | International Criminal Tribunal for the Former Yugoslavia<br>Churchillplein 1, The Hague<br>P.O. Box 13888, 2501 EW<br>*Email Address*- guney@un.org |
| 2. **Justice Hassan Bubacarr Jallow** | The Prosecutor UNICTR | +1 212 963 2850<br>Extension 5347<br>Tanzania, United Rep. of | Office of the Prosecutor<br>AICC Building<br>Arusha, P.O. Box 6016<br>*Email Add* -jallowh@un.org |

# JUDGE DANIEL DAVID NTANDA NSEREKO

## 1. PERSONAL DATA

- **Address:** International Criminal Court
  Maanweg 174
  2516 AB The Hague
  The Netherlands
  Telephone: (31) (0)70-5158072 (Office)
  Fax: (31) (0)70-5158789
  E-mail: daniel.nsereko@icc-cpi.int
- **Nationality:** Ugandan
- **Gender:** Male
- **Marital Status:** Married

## II. EDUCATION

| | |
|---|---|
| 1973-75 | *Doctor of Juridical Science* (**J.S.D.**), New York University School of Law, New York, New York, U.S.A. |
| 1971 | *Master of Laws* (**LL.M**). New York University School of Law New York, New York, U.S.A. |
| 1972 | *Certificate in International Law*, Hague Academy. |
| 1970 | *Master of Comparative Jurisprudence* (**M.C.J.**), Howard University School of Law, Washington, D. C. , U.S.A. |
| 1968 | *Bachelor of Laws* (**LL.B**), University of East Africa Dar Es Salaam, Tanzania. |

**Professional Qualifications:**

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| 1972 - present | **Advocate,** High Court of Uganda . |
| 2007 - | **List of Counsel** and eligible for appointment to represent accused or victims before the **International Criminal Court**. |

## III. WORK EXPERIENCE

**Work History:**

2009 – 2010 **President, Appeals Division, International Criminal Court,** The Hague, The Netherlands

2008 – Present **Judge of the International Criminal Court,** The Hague, Netherlands (Trial Division, January – July 2008: August 2008- present, Appeals Division)

Acted as Presiding Judge in the following appeals:

(1) *Situation in the Republic of Kenya,* Appeal of the Government of Kenya against the "Decision on the Request for Assistance Submitted on Behalf of the Government of the Republic of Kenya Pursuant to Article 93(10) of the Statute and Rule 194 of the Rule of Procedure and Evidence", 4 July 2011;

(2) *Prosecutor v. Ruto et al.* and *Prosecutor v. Mathaura et al.* , Appeal of the Government of Kenya against the Decision on the Application by the Government of Kenya Challenging the Admissibility of the Case Pursuant to Article 19(2)(b) of the Staute, 20 June 2011;

(3) *Prosecutor v. Germain Katanga and Mathieu Ngudjolo Chui*: Appeal against the "Decision on the Motion for the Defence for Germain Katanga for a Declaration on Unlawful Detention and Stay of Proceedings" 12 July 2010;

(4) *Prosecutor v. Germain Katanga and Mathieu Ngudjolo Chui*: Appeal of Mr. Katanga against the "Oral Decision of the Trial Chamber II of 12 June 2009 on the Admissibility of the Case", 25 September 2009;

(5) *Prosecutor v. Joseph Kony* : Appeal of the Defence against the "Decision on the admissibility of the Case Under article 19 (1) of the Statue", 16 September 2009.

96 - 2007 **Professor of Law,** University of Botswana, Gaborone

1992 - 96 **Associate Professor of Law**, University of Botswana

1984 - 92 **Senior Lecturer in Law**, University of Botswana

1993 - 94 **Walter S. Owen Visiting Professor of Law,**
University of British Columbia, Faculty of Law, Vancouver, Ca.

1983 **Social Affairs Officer**, United Nations Centre for Development and Humanitarian Affairs, New York, New York

1983 - 84 **Expert Consultant,** Crime Prevention and Criminal Justice Branch of the United Nations Centre for Social Development and Humanitarian Affairs, New York, N. Y.

1978 - 82 **Full - time Private Law Practice,** Kampala, Uganda

1975 - 78 **Senior Lecturer in Law, Makerere University**, Kampala, Uganda

1971 - 75 **Lecturer in Law**, Makerere University

1968 **Pupil Advocate** with Kiwanuka & Co., Advocates, Kampala, Uganda.

## IV. PROFESSIONAL ACTIVITIES

**Law Practice:**

1972 - 2007 Private law practitioner (initially on a part-time basis 1972 - 76 and full time 1976-82); represented clients in criminal and civil cases in Magistrates' Courts, High Court, and the Court of Appeal. Some of the cases resulted in precedent - setting decisions; 2003 – 07 was attached as a consultant to the law firm of ***Ssendege, Senyondo & Co.,*** Advocates and Solicitors, in Kampala, Uganda.

**Trial Observer:**

1996: Served as an Amnesty International **Trial Observer** to Ethiopia; duties included observing a criminal trial of over 50 defendants of the former Government of Ethiopia charged with genocide and crimes against humanity; writing a comprehensive confidential report on the trial in the context of international human rights standards.

1990: Served as an Amnesty International **Trial Observer** to Swaziland; duties included observing a criminal trial of about 10 defendants charged with offences of a political character; writing a comprehensive confidential report in the context of international human rights standards.

**Special Missions:**

1998: Served as **Head of an Amnesty International Delegation** to Lesotho to investigate allegations of human rights and humanitarian law violations and inspecting prison conditions following the South African and Botswana military intervention into that country.

1991: Served on a **two-person Amnesty International Mission** to Swaziland to investigate allegations of human rights abuses and to inspect prison conditions. Authored the mission's report

**Expert/Consultant:**

2007 At the request of Minority Rights Group International, wrote an **expert legal opinion** in a case that was pending before the African Commission on Human and Peoples' Rights.

2007 Participated as **expert** at the Resumed 5th Session of the Assembly of States Parties to the Rome Statute of the International Criminal Court, at New York, 29 January – 2 February 2007, dealing with crime of aggression as part of the International NGO Coalition for the ICC.

2006 Participated as **expert** at the Inter-Sessional Meeting of the Special Working Group on the Crime of Aggression of the Assembly of States Parties to the Rome Statute of the International Criminal Court, at Princeton, New Jersey, June 2005, as part of the NGO Coalition for the ICC.

2005 Served as **Legal Advisor to the Uganda Government Delegation** to the second Inter-Sessional Meeting of the Special Working Group on the Crime of Aggression of the Assembly of States Parties to the Rome Statute of the International Criminal Court, at Princeton University, New Jersey, 11 – 13 June 2005.

2004 At the request of the Chief Prosecutor of the International Criminal Court, wrote an **expert legal opinion** on the interpretation and scope of certain provisions of the Rome Statute of the International Criminal Court.

2004 Served as **Legal Advisor to the Uganda Government Delegation** to the Inter-Sessional Meeting of the Special Working Group on the Crime of Aggression of the Assembly of States Parties to the Rome Statute of the International Criminal Court, Princeton University, New Jersey, 21 - 23 June 2004.

2004 Participated in the Roundtable of African Experts on the Transitional Codes for Post-Conflict Criminal Justice Project, organised by the United States Institute of Peace and the Irish Centre for Human Rights of the National University of Ireland, Galway, Abuja, Nigeria, 7 – 8 June 2004.

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| 2002 | Served as **Member of the Uganda Government Delegation** to the first session of the Assembly of States Parties to the Statute of the International Criminal Court, New York, 3 to 11 September 2002. |
| 2002 | Participated **as an expert** at the 9th session of the Preparatory Commission for the International Criminal Court, New York, 8 – 19 April 2002 as part of the NGO Coalition for the International Criminal Court and served as co-leader of the Coalition's team on the Crime of Aggression. |
| 2001 | Participated as an **expert** at the 8th session of the Preparatory Commission for the International Criminal Court, New York, 24 September – 5 October 2001 as part of the NGO Coalition for the International Criminal Court and served as co-leader of the Coalition's team on the Crime of Aggression. |
| 2000 | Participated as an **expert** at the 5th, 6th and 7th session (June/July and December 2000) meetings of the Preparatory Commission for the International Criminal Court as member of the NGO Coalition for the International Criminal Court. |
| 1999 | **Acted as an expert consultant** to the International Criminal Tribunal for Rwanda (ICTR): wrote a legal opinion for the Tribunal on some complex legal issues in a case before the Tribunal. |
| 1998 | Participated as an **expert** in the Diplomatic Conference of Plenipotentiaries for the Establishment of an International Criminal Court on the invitation of the NGO Coalition for the Establishment of an International Criminal Court, Rome, Italy, 15 June to July 1998. |
| 1997 | Participated as an **expert** in the August and December meetings of the UN Preparatory Committee for the Establishment of an International Criminal Court at New York as a member of the NGO Coalition for the Establishment of an International Criminal Court. |
| 1995: | Participated in and **was elected rapporteur** for an **Expert Group Meeting** on "Victims of crime and Abuse of Power in the International Setting", convened by the United Nations Crime Prevention and Criminal Justice Branch at Vienna Austria. The Committee drew up a comprehensive plan of action for the prevention of victimisation, protection and assistance for victims of crime and abuse of power, in pursuance of the United Nations Declaration on Victims of Crime. |
| 1995: | Served on the **Committee of Experts** to review and propose amendments to the Draft Statute of the International Criminal Court. The Association Internationale De Droit Penale and the Max Planck Institute for Foreign and International Penal Law set up the Committee. |

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| 1985: | Served as **Expert Consultant** for the UN on a Project on the Preparation for Plans for Reform of the Criminal Justice System for Namibia, Rome, Italy. |
| 1985: | Served as **Expert Consultant** for United Nations Congresses for the Prevention of Crime and Treatment of Offenders, at Milan, Italy (1985), and Caracas, Venezuela (1980); and at regional and inter-regional preparatory meetings at The Hague, The Netherlands (1980), Addis Ababa, Ethiopia (1978) and Lusaka, Zambia (1975). |
| 1984: | Served as **Expert Consultant** for the Crime Prevention and Criminal Justice Branch of the United Nations Centre for Social Development and Humanitarian Affairs and participated in the drafting of the United Nations Declaration for the Rights of Victims of Crime. |

## Resource Person/Guest Lecturer

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| 2011 | Delivered a talk on "Calling African Female Lawyers" as a part of a campaign spearheaded by the Office of the ICC Registrar, at the Imperial Resort Beach Hotel, Entebbe, Uganda, 6 May 2011. |
| | Delivered a lecture on "The ICC: An Overview of the basic features and recent developments" at the Kwazulu Natal University Faculty of Law, Durban, South Africa, 10 May 2011. |
| 2010 | Presented a paper on "New Perspectives after the Kampala Review Conference and African Issues" at the 12th Salzburg Law School on International Criminal Law, Humanitarian Law and Human Rights, at Salzburg, Austria 12-20 August 2010. |
| | Chaired a panel discussion on "The Post-colonial African State and Impunity" at a conference on Africa and the future of the International Criminal Justice at the Witswaterand School of Law, Johannesburg, South Africa, 14-16 July 2010. |
| | Participated on a panel discussion on "Crimes against Humanity and State Responsibility to Prevent" at a conference on Forging Convention on Crimes against Humanity, convened by the Washington University Law School, Whitney R. Harris World Law Institute at the Brookings Institute, Washington DC, 11-12 March 2011. |
| 2009 | Presented a paper on "Children in armed conflict and the International Criminal Court" at the 10th International Conference of the Chief Justices of the World, Lucknow, India, 11-14 December 2009. |

Delivered a paper on "Africa and the ICC" at a workshop for Members of Parliament, organised by Parliamentarians for Global Action, Kampala, Uganda, 30 June 2009.

Delivered a lecture on "Basic Features of the International Criminal Court" at a course for Judges and Prosecutors from Jordan, organised by the Hague Forum for Judicial Expertise, The Hague 22 April 2009.

Presented a paper on "The ICC Six Years On" at the Future of International Criminal Justice Conference, convened by West Point Centre for the Rule of Law, Department of Law, United States Military Academy, West Point, New York, 15-17 April 2009.

2008 Presented a paper on "The Rights of Children and the International Criminal Court" at the 9th International Conference of Chief Justices of the World, Lucknow, India 15 December 2008.

Presented a paper on "Trial Proceedings at the International Criminal Court" at the International Conference on the ICC organized by the Supreme Court of the Philippines Judicial Academy in partnership with the Italian Embassy in Manila, the Philippines, 25-26 September 2008.

2006 Served as resource person at a seminar organized by the Mozambican Bar Association under the sponsorship of the Friedrich Ebert Foundation on "The International Criminal Court: a Court for the Future" at Maputo, Mozambique 9 March 2006 and presented a paper on "The International Criminal Court: Botswana's Experience."

2005 Served as **guest lecturer** and delivered lectures on "The Relationships between the International Criminal Court and the UN Security Council" at the 7th session of the Salzburg Law School, Salzburg, Austria, 8 – 10 August 2005.

2004 Served as **guest lecturer** and delivered a lecture on the Crime Genocide at the International Criminal Court Training Course for African Government Officials organised by the University of Nottingham and the University of Cape Town, Cape Town, South Africa, 28 June to 3 July 2004.

2003 Served as **guest lecturer** and delivered a lecture on "Prosecutorial Discretion before National and International Tribunals" in a series of Guest Lectures at the Office of the Prosecutor of the International Criminal Court, The Hague, Netherlands, 19 December 2003. See website: http://www.icc-cpi/otp/lecturers_dn.html

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| 2002 | Served as **guest lecturer** to LLM students of the Law Department, *Universita degli Studi di Teramo*, Italy, 25 February – 1 March 2000. Delivered lectures on the status of the individual under International Law, the Use of force under the UN Charter and on the Crimes of Genocide and Aggression. |
| 2001 | Served as guest lecturer to LLM students of the Faculty of Law, University of Cape Town, South Africa, August 2001. Delivered lectures on the crimes of aggression and genocide. |
| 2000 | Served as **resource person** at a Workshop for Women of Africa on Gender Justice & the International Criminal Court organised by the Women's Caucus for Gender Justice in collaboration with the Law, Race and Gender Research Unit of the University of Cape Town, Cape Town South Africa, 24 – 26 August 2000. |
| 2000 | Served as **guest lecturer** at the Salzburg School of International Criminal Law, Salzburg, Austria, and August 2002. Delivered lectures on the Crimes of Aggression and Genocide as well as on the International criminal Tribunal for Rwanda. |
| 1999 | Served as **scientific director** for the Gaborone School for International Criminal Jurisdictions, Gaborone, Botswana (October 1999). |
| 1999 | Served as guest lecturer at the Salzburg School of International Law, Salzburg, Austria. Delivered lectures on the Crime of Genocide. |
| 1999 | Served as **Resource Person** at a SARPCCO Training Course for Police Trainers organized by the UN High Commissioner for Human Rights, at Gaborone, Botswana. |

**Memberships**

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|---|---|
| 2006 - 2008 | Member, Advisory Committee, ***War Crimes Research Office***, American University, Washington, DC. |
| 2006 | Member, International Advisory Board of the ***International Doctorate School of Excellence***, University of Cologne, Germany. |
| 2005 - present | Member, Editorial Board of the ***University of Botswana Law Journal***. |
| 2004 - present | Member, ***East African Law Society***. |
| 1972 - present | Member, ***Uganda Law Society***. |
| 1988 - present | Member of the Board of the ***International Society for the Reform of Criminal Law***. |

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| 1990 - present | Member of the Editorial Board of the ***Criminal Law Forum: an International Journal.*** |
| 1986 - 1990 | Member of the Editorial Board of the Journal ***Violence, Aggression and Terrorism.*** |
| 1985 - present | Member of the Editorial Council of the ***Journal Church and State*** |
| 1975 - 1980 | Member of the Executive Committee of the ***Uganda Red Cross Society***. |
| 1975 - 1980 | Member of the Law Council (Executive Committee) of the ***Uganda Law Society.*** |

## V. ACADEMIC ACTIVITIES

### Courses Taught

| | |
|---|---|
| 1984 - 2007 | ***University of Botswana***, Botswana:<br>Public International Law, International Criminal Law, International Human Rights Law, Criminal Procedure, Evidence, Constitutional Law, Administrative Law, and Legal Ethics. |
| 1993 - 1994 | ***University of British Columbia***, Vancouver, Canada:<br>International Law of Human Rights. |
| 1971- 1978 | ***Makerere University***, Uganda:<br>Public International Law, Criminal Procedure, Civil Procedure, Evidence, Family Law, and Law of Business Associations. |

### Academic Leadership

| | |
|---|---|
| 1985 - 1993 | Served as **Head Department of Law**, University of Botswana. |

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| **External Examiner** | (As external examiner I act as "watch dog" for the appointing universities over academic standards; I approve examinations; I check examination scripts; and examine theses and dissertations) |
| 2003 - 2006 | University of Swaziland, Kwaluseni, Swaziland |
| 1998 - 2002 | University of Dar Es Salaam, Tanzania. |
| 1993 | University of Swaziland, Kwaluseni, Swaziland. |
| 1992 - 1993 | National University of Lesotho, Roma, Lesotho. |
| 1991 - 1993 | University of Zambia, Lusaka, Zambia. |
| 1987 - 1990 | University of Nairobi, Nairobi, Kenya. |

**External Assessor**

| | |
|---|---|
| 2010 - 2011 | Served on the Doctorate Committee, **University of Amsterdam**, tasked with assessing the quality of a thesis submitted for the award of the Degree of Doctor of Laws. |
| 2000 | Served as external assessor for the **University of Dar Es Salaam:** read and wrote detailed assessment of publications of candidates for promotion to the rank of associate professor and full professor. |
| 1994 | Served as external assessor for the **University of Lagos**, Akoka, Yaba, Nigeria; read and wrote detailed assessment of the publications for the candidate for promotion to the rank of associate professor. |

**Journal Refereeing**

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|---|---|
| 2004 | Refereed article submitted to **South African Law Journal** and advised on its publishable quality. |
| 2000 | Refereed article submitted to the **Melbourne Journal of International Law** and advised on its publishable quality. |

## VI. PUBLICATIONS

**Books:**

| | |
|---|---|
| (i) | ***Criminal Law in Botswana*** (Wolters Kluwer, Deventer, The Netherlands, 2011) – ISBN 9789-041-136-213 [369 pages] |
| (ii) | With K. Solo, ***Legal Ethics in Botswana: Cases and Materials*** (University of Botswana, Department of Law, Private Bag 0022 Gaborone. 2004). ISBN No. 99912-949-5-3) [448 pages] |
| (iii) | ***Constitutional Law in Botswana*** (in the INTERNATIONAL ENCYCLOPAEDIA OF LAWS (Kluwer International Publishers, Deventer, The Netherlands. 2002. ISBN 90 6544 9442 and ISBN 90K 330 022X). Republished by Pula Press, Gaborone, Botswana , 2002. ISBN 999 61 97 4 [323 pages] |
| (iv) | ***Twejjukanye Oluganda [Luganda Language Grammer]*** (University of Botswana 2001) ISBN 99912-950-0-3 [150 pages] |
| (v) | ***Criminal Procedure in Botswana: Cases and Materials (3rd ed.)*** (Pula Press, Gaborone.2002. ISBN 99912-61-61-3). [506 pages]. |

(vi) ***Criminal Law and Procedure in Uganda*** (in the INTERNATIONAL ENCYCLOPAEDIA OF LAWS, Prof. Dr. L. Dupont and Prof. Dr. C. Fijnaut of Leuven University, (eds.), (Kluwer Law International Publishers, Deventer, The Netherlands. 1996. ISBN 900 T 337 0085). [329 pages]

(vii) ***Eddembe Lyaffe*** [a treatise written in the Luganda language, literally meaning "Our Rights"; it discusses various aspects of human rights and has four appendices which are translations of key UN human rights instruments], (Nabinene Emporium Ltd., P.O. Box 3675 Kampala, Uganda. 1995). Published with the assistance of the Danish Agency for International Development (DANIDA). [201 pages]

(viii) ***English - Luganda Law Dictionary*** (University of Botswana. 1993 ISBN 99912-0-082-7). (Indexed in *The African Book Publishing Record*, West Sussex, England, 1994). [149 pages]

(ix) ***Antigone: a Greek Play by Sophocles*** (a translation into the Luganda Language. Marianum Press, Kampala,Uganda. 1989). [63 pages]

**Mimeographs**:

(i) ***The International Protection of Refugees*** (Doctoral dissertation submitted to New York University School of Law, 1975). [379 pages]

(ii) ***Police Powers and the Rights of the Individual in Uganda*** (Makerere University - Kampala, Uganda 1973). [134 pages]

**Chapters in Books:**

(i) "The International Criminal Court and Africa," in Manisuli Ssenyonjo. (ed.) ***African regional Human Rights System: Thirty Years after the Adoption of the African Charter on Human and Peoples' Rights*** (Koninklijke Brill NV, Leiden, 2011) – Forthcoming.

(ii) "Cooperation with the Court in Matters of Arrest and Surrender of Indicted Fugitives: Lessons from the ad hoc Tribunals and National Jurisdictions," in Jose Doria, Hans-Peter Gasser and M. Cherif Bassiouni, ***The Legal Regime of the International Criminal Court: Essays in (eds) Honour of Professor Igor Blishshenku***, (Martinus Nijhoff Publishers, 2009) ISBN 978 90-041630-89 [at pp.975-999]

(iii) "Sentencing at the International Criminal Tribunal for the former Yugoslavia" in Andre Klip and Goran Sluiter (eds), ***Annotated Leading Cases of International Criminal Tribunals: The International Criminal Tribunal for Yugoslavia***, Vol. XV (Intersentia, Antwerp, 2008) ISBN 978-90-5095-794-6 [at pp.723-730]

(iv) “Participation in Crime in Botswana” in Ulrich Sieber (ed.) ***Participation in Crime: Criminal Liability of Leaders of Criminal Groups and Networks – A Comparative Analysis*** (Max Planck Institute for Foreign and International Criminal Law. Freiberg. 2007

(v) “Expeditious Trial” in Andre Klip and Goran Sluiter (eds), ***Annotated Leading Cases of International Criminal Tribunals: The Special Court for Sierra Leone,*** Vol 9 (Intersentia, Antwerp, 2006. ISBN 90-5095.[at pp. 690-697]

(vi) “Right to Counsel” in Andre Klip and Goran Sluiter (eds), ***Annotated Leading Cases of International Criminal Tribunals: The International Criminal Tribunal for Yugoslavia,*** Vol. 8 (Intersentia, Antwerp, 2005. ISBN 90-5095-397-2).[at pp. 375-386]

(vii) “Forcible Transfer of Children” in Shelton, Dinah (ed.) ***Encyclopaedia of Genocide and Crimes Against Humanity***, 3 vols. (Detroit, Mich: Macmillan Reference USA, 2005. ISBN 0028658477). [at pp. 370-376]

(viii) “The Indictment”, in Andre Klip and Goran Sluiter (eds), ***Annotated Leading Cases of International Criminal Tribunals: The International Criminal Tribunal for Rwanda,*** Vol. 6 (Intersentia, Antwerp, 2003. ISBN 90-5095-319-0). [at pp. 49 – 58]

(ix) “Preliminary Matters: the Indictment”, in Adre Klip and Goran Sluiter (eds), ***Annotated Leading Cases of International Criminal Tribunals: The International Criminal Tribunal for Yugoslavia***, Vol. IV (Intersentia, Antwerp, 2002. ISBN 90-5095-213-5). [at pp. 58-68]

(x) “Social Change and Organised Crime in Southern Africa”, in Apollo Rwomire (ed.), ***Social Problems in Africa*** (Praeger Publishers, Westport, CT., U.S.A., 2001. ISBN 0-275-96343-8) [at pp.209-228].

(xi) “The African Great Lakes Region and the International Criminal Tribunal for Rwanda”, in ELSA (eds.), ***International Law as we Enter the 21st Century*** (BERLIN VERLAG Arno Spitz GmbH, 2001. ISBN 3-8305-0249-4). [at pp. 73 – 85].

(xii) “The Implementation of the ICC Statute within the Southern African Community (SADC)”, in Claus Kress & Flavia Lattanzi (eds.), ***The Rome Statute and Domestic Legal Orders Volume I: General Aspects and Constitutional Issues*** (Nomos Verlagsgesellschaft, Baden-Baden, Germany, 2000. ISBN 88-8784-00-2). [at pp. 169-182].

(xiii) "Preliminary Rulings Regarding Admissibility" in Otto Triffterer (ed.), ***Commentary on the Rome Statute of the International Criminal Court*** (Nomos Verlagsgesellschaft Baden-Baden, Germany, 1999. ISBN 3-7890-6173-5)[at pp. 395-404].

(xiv) "Genocide: A Crime Against Mankind", in Gabrielle Kirk McDonald and Olivia Swak-Goldman (eds.), ***The Law and Enforcement of International Offences – The Experience of International and National Courts*** (Kluwer Law International, The Hague, The Netherlands, 1999. ISBN 90-411-1133-6), [at pp. 113-140]

(xv) "Controlling Executive Power in Southern Africa: the Role of the Courts and Administrative Tribunals", in Hugh Corder and Tiyanjana Maluwa (eds.), ***Administrative Justice in Southern Africa*** (University of Cape Town, Cape Town, 1997. ISBN 0-7992-1892-8), [at pp. 95-116].

(xvi) "Reparations in the Criminal Law: the Case of Uganda", in Albin Eser and Susanne Walther ***Wiedergutmachung im Strafrecht: Internationale Perspektiven*** (edition iuserim, Max-Planck Institute for Foreign and International Criminal Law, Freiburg, Germany, 1997. ISBN 3-86113-971-5), [at pp. 319-354].

(xvii) "Issues of Implementation and Co-ordination", with Roger Clark, in Yael Danieli, Nigel Rodley and Lars Weisaeth (eds) ***International Responses to Traumatic Stress*** (Baywood Publishing Company, Amityville, N.Y., 1995. ISBN 0-89503-132-9). [at pp. 425-437]

(xviii) "Victims of Crime and their Rights", in T.M. Mushanga (ed.) ***Criminology in Africa***, (United Nations International Crime and Justice Research Institute, Rome, 1992. ISBN 92-9078-021-6). [at pp. 21-42]

(xix) "The Rights of Children in Botswana", in ***The Rights of the Child*** (Initiative Ltd., Nairobi 1989. ISBN 9966-42-001-0). [at pp. 25-31]

(xx) "Human Rights: A Legal Perspective", in D.Rubadiri (ed.), ***Human Rights and You*** D.Rubadiri (ed.),(Macmillan Botswana Ltd. 1989. ISBN 0-333 52364-4). [at pp. 11-16]

(xxi) "Arbitrary Deprivation of Life: Controls on Permissible Deprivations",in B.G. Ramcharan (ed) ***The Right to Life in International Law***, (Martinus Nijhoff Publishers, The Netherlands, 1985. ISBN 90-247-3074-0). [at pp. 245-283]

**Book Review:**

Review of D. Dyzenhaus, *Hard Cases in Wicked Legal Systems: South African Law in the Perspective of Legal Philosophy* (Oxford: Clarendon Press 1991) 28 ***Canadian Journal of African Studies*** 150-3 (1994).

**Articles in Internationally Peer-refereed Journals:**

(i) "The Kampala Review Conference: The Capstone of the Rome System" 22 ***Criminal Law Forum: An International Journal*** (2011) – Forthcoming.

(ii) "The Role of Victims in Criminal Proceedings – Lessons National Jurisdictions can take from the ICC" ***21 Criminal Law Forum: An International Journal*** 399-414 (2010), DOI 10.1007/s10609-010-9126-6.

(iii) "The Role of International Criminal Tribunals in the Promotion of Peace: the Case of the International Criminal Court" 19 ***Criminal Law Forum: An International Journal*** 373 - 393 (2008).

(iv) "The Abuse of Process Docrtrine in the Administration of Criminal Justice before National Courts and International Tribunals", 7 ***University of Botswana Law Journal*** 29 -71 (2008).

(v) "Relationship between the International Criminal Court and the United Nations Security Council", 13 ***Zetschrift Fur Internationale Starfrechtsdogmatik*** 500 (2007).(http://www..zis-online.com)

(vi) "Bringing Aggressors to Justice: From Nuremberg to Rome" 4 ***University of Botswana Law Journal*** 4 -32 (2005).

(vii) "The SADC Protocol against Corruption: Example of the Region's Response to an International Scourge", with Zein Kebonang, 1 ***University of Botswana Law Journal*** 85-119 (2005).

(viii) "Prosecutorial Discretion before National Courts and International Tribunals", 2 ***Journal of International Criminal Justice*** 124-144 (2005).

(ix) "Triggering the Jurisdiction of the International Criminal Court", 4 ***African Human Rights Law Journal*** 256-274 (2004).

(x) "Defining the Crime of Aggression: An Important Agenda Item for the Assembly of States Parties to the Rome Statute of the International Criminal Court", ***Acta Juridica Journal*** 256- 286 (2003) [University of Cape Town, South Africa].

(xi) “Aggression Under the Rome Statute of the International Criminal Court” 71 ***The Nordic Journal of International Law***, 497-521 (2002).

(xii) “The Ethical Obligations of Counsel in Criminal Proceedings: Representing an Unwilling Client”, 12 ***Criminal Law Forum: an International Journal*** 487 – 507 (2001).

(xiii) “Genocidal Conflict and the International Criminal Tribunal for Rwanda”, 48 ***Netherlands International Law Review*** 31-65 (2001).

(xiv) “Minimum Sentences and their Effect on Judicial Discretion”, 31 ***Crime, Law and Social Change: An International Journal*** 363-384 (1999).

(xv) "Crime Prevention in Southern Africa: A Legal Perspective", 32 ***The Comparative and International Law Journal of Southern Africa*** 247-265 (1999).

(xvi) "The International Criminal Court: Jurisdictional and Related Issues", 10 ***Criminal Law Forum: An International Journal*** 87-120 (1999).

(xvii) “Police Informers and Agents Provocateurs: Accomplices or Handmaidens of the Law? Perspectives from the Courts of Eastern and Southern Africa” 9 ***Criminal Law Forum: An International Journal*** 151-169 (1998/99).

(xvii) “Indigenous Justice Systems: An Eastern African Perspective”, 24 ***Indian Socio-Legal Journal*** 23-30 (1998).

(xix) “When Crime Crosses Borders: A Southern African Perspective”, 41 ***Journal of African Law*** 192-200 (1997) (University of London).

(xx) "Witchcraft as a Criminal Defence, From Uganda to Canada and Back", 24 ***Manitoba Law Journal*** 38-59 (1996) (University of Manitoba).

(xxi) "Rules of Procedure and Evidence of the International Tribunal for the Former Yugoslavia" 5 ***Criminal Law Forum: An International Journal*** 507-555 (1994). Reprinted as a chapter in Roger Clark and Madeleine Sann (eds.), ***The Prosecution of International Crimes*** (Transaction Publishers, Rutgers - The State University of New Jersey, New Brunswick, N.J., 1996. ISBN 1-56000-269-7), [at p. 293-341].

(xxii) "Victims of Abuse of Power, with Special Reference to Africa" 28 ***University of British Columbia Law Review*** 171-192 (1994). Reprinted in 60 ***The Review of the International Commission of Jurists*** 199-219 (1998).

(xxiii) "The Poisoned Tree: Responses to Involuntary Confessions in Criminal Proceedings in Botswana, Zambia, and Uganda" 5 ***African Journal of International & Comparative Law*** 609-633 (1993). (London). Reprinted as a chapter in M. Cherif Bassiouni and Ziyad Motala (eds), ***The Protection of Human Rights in African Criminal Proceedings*** (Martinus Nijhoff Publishers, Dordrecht, The Netherlands. 1995). [at 83-102].

(xxiv) "The Police, Human Rights, and the Constitution: An African Perspective", 15 ***Human Rights Quarterly*** 465-484 (1993)(John Hopkins University Press). This article was abstracted in the 1994 ***International Political Science Abstracts*** (27 Rue Saint-Gallium, 75341 Paris Cedex 07, France).

(xxv) "Religious Liberty and the Law in Botswana Today," 34 ***Journal of Church and State*** 843-862 (1992) (Baylor University).

(xxvi) "La religion et la Loi au Botswana aujourd'hui" 43 ***Conscience et Liberte*** 89-93 (1992) (Bern, Switzerland).

(xxvii) "Extenuating Circumstances in Capital Offences in Botswana", 2 ***Criminal Law Forum: An International Journal*** 235-268 (1991).

(xxviii) "Compensating the Victims of Crime in Botswana", 33 ***Journal of African Law*** 157-171 (1989) (University of London).

(xxix) "The Right to Legal Representation in Botswana", (1988) ***Israel Yearbook on Human Rights*** 211-227 (Tel-Aviv University).

(xxx) "Religion, the Law and the State in Africa" 28 ***Journal of Church and State*** 268-287 (1986) (Baylor University).

(xxxi) "The Right to Return Home in International Law", 21 ***Indian Journal of International Law*** 335-351 (1981).

(xxxii) "The Nature and Function of Marriage Gifts in Customary African Marriages", 23 ***American Journal of Comparative Law*** 682-704 (1975)(University of California).

(xxxiii) "The Consul as a Defendant: His Amenability to the Jurisdiction of the Receiving State", 15 ***Indian Journal of International Law*** 333-350 (1975).

(xxiv) "The International Court, Impartiality and Judges Ad Hoc", 13 ***Indian Journal of International Law*** 207-230 (1973). (This article was included in J.C. Merrills' ***A Current Bibliography of International Law***, (Butterworths, London, 1978) 188.

(xxxv) "The Tanzania Nationalisation Laws", 3 ***Eastern African Law Review*** 1-23 (1970) (The University of Dar Es Salaam).

**Conference and Other Papers**

(i) "The ICC Targets Impunity, not Africa", article published in the newsletter of the Uganda Coalition on the International Criminal Court, Kampala, Uganda, July 2011.

(ii) "Reparations for Victims of Crime in Uganda" in Eduardo Vetere & David Pedro, *Victims of Crime and Abuse of Power: Festschrift in honour of Irene Melup* ( 11th UN Congress on Crime Prevention and Criminal Justice, Bangkok, April 2005).

(iii) "Bringing Aggressors to Justice: From Nuremberg to Rome" presented as an inaugural lecture at the University of Botswana, Gaborone, 13 April 2005

(iv) "The Right to Legal Representation before the International Tribunal for the former Yugoslavia", presented at the 18th International Conference of the International Society for the Reform of Criminal Law, Montreal, Canada, 8 – 12 August 2004.

(v) "The Independence of the Judiciary" presented at the SADC Chief Justices' Conference, Kasane, Botswana, July, 2004.

(vi) "Prosecutorial Discretion before National and International Tribunals" delivered as part of a series of Guest Lectures at the Office of the Prosecutor of the International Criminal Court, The Hague, Netherlands, and 19 December 2003. See website: http://www.icc-cpi/otp/lecturers_dn.html

(vii) "Implementation of the Rome Statute: Making the National Criminal Justice Systems Able in Law" presented at the Annual International Criminal Law Network, The Hague, Netherlands 17-19 December 2003.

(viii) "Triggering the Jurisdiction of the International Criminal Court" presented at a Symposium on "Civil Society and Justice in Zimbabwe", Johannesburg, South Africa, 11-13 August 2003.

(ix) "The Definition of the Crime of Aggression: Challenge facing the Assembly of States Parties" presented at the International Conference on 'The International Criminal Court: Some Questions and Answers from the Arab Region" at Cairo, Egypt 9 – 11 May 2002.

(x) "Rwandan Adventists on Trial for Genocide" (2000) *Adventist Lawyer* 36.

(xi) "Treatment of Prisoners and the International Law of Human Rights", paper presented at the Seminar for Heads of Penitentiary Institutions of African Countries, Harare, Zimbabwe, 23 February - 5 March, 1988.

(xii) "The Death Penalty in Botswana", a paper presented at the "Reform of the Criminal Law" Conference, Inns of Court, London, July 26-29, 1987. (Cited by Roger Hood in ***The Death Penalty*** (Oxford University Press, Oxford 1989).

(xiii) "The Prisoner and Human Rights", in Frimpong, K.(ed.), ***The Law, The Convict And The Prisons*** (Mimeograph), University of Botswana, Gaborone, 1987. [at p. 210-224]

(xiv) "Capital Punishment in Botswana" with M.J.A. Glickman in United Nations, ***Crime and Criminal Justice Newsletter***, 12 and 13 (November 1986), 51.

(xv) "A Magna Carta for Victims of Crime", in ***Departmental Seminar Papers*** Vol. 1 (1985/86).

(xvi "Christianity and Human Rights", a paper presented at a Workshop organised by the Department of Theology and Religious Studies (University of Botswana 1985).

(xvii) "Group Victims of Crime and other Illegal Acts Linked to the Abuse of Public Power with Special Reference to Africa",(paper prepared for the Crime Prevention and Criminal Justice Branch of the United Nations Centre for Social Development and Humanitarian Affairs, New York, 1983). Cited in the ***Working Paper Prepared by the UN Secretariat*** for the 7th UN Congress on the Prevention of Crime and Treatment of Offenders, Milan, Italy. UN Doc. A/CONF.121/6, 1 August 1985.

(xviii) "The Church in an Emerging Legal System: The Case of Uganda", a paper presented at the International Christian Lawyers' Conference, Geneva, Switzerland, 1981.

(xix) "Torture: A Crime Against Human Dignity", an article published in ***The Exposure*** (magazine, Kampala, Uganda. 1980).

## VII. AWARDS

| | |
|---|---|
| 2006 | Visiting Scholar, ***Max-Planck Institute for Foreign and International Criminal Law***, Freiburg, Germany. |
| 1996 | Awarded a medal by the ***International Society for the Reform of Criminal Law***, at Vancouver, Canada in recognition of my contribution to International Human Rights and to Criminal Law Reform. |
| 1995 | Visiting Scholar, ***Max-Planck Institute for Foreign and International Criminal Law***, Freiburg, Germany. |
| 1982 | Fellow, Institute of International Law & International Relations Research, ***Hague Academy of International Law***, The Hague, Netherlands |

## VIII. LANGUAGE SKILLS

Fluent in both spoken and written English.
Fluent in both spoken and written Luganda.
Fluent in spoken Kiswahili.
Fairly fluent in spoken Kinyarwanda/Kirundi.
Some German.
Computer literate

**Professor Daniel David Ntanda Nsereko.**

## JUDGE DANIEL DAVID NTANDA NSEREKO - STATEMENT OF SUITABILITY

**JUDGE NSEREKO** is a citizen of Uganda. He is currently serving as Judge of the International Criminal Court (ICC) in the Appeals Division. He was elected to the ICC in December 2007. He was initially assigned to the Trial Division, but was re-assigned to the Appeals Division in August 2008. He served as President of the Appeals Division from April 2009 to March 2010. As President, he was responsible for the administration of the Division. Judge Nsereko has presided over a number of appeals, some of which involved decisions of a precedent-setting nature.

Prior to his election to the ICC, Judge Nsereko served as Professor of Law at the University of Botswana, and for eight years served as Head of the University's Department of Law. He previously taught at Makerere University in Uganda. Between 1993 and 1994 he served as the *Walter S .Owen Visiting Professor of Law* at Faculty of Law of the University of British Columbia in Vancouver, Canada. He has also at divers times lectured to graduate classes at the University of Cape Town in South Africa, University of Salzburg in Austria, University of Teramo in Italy and the Universities of Cologne and Göttingen in Germany.

Judge Nsereko is a holder of a doctorate (JSD) and Masters (LLM) in law from New York University, MCJ in comparative law from Howard University and an LLB from the University of East Africa. He is an internationally recognized scholar of Public International Law, International Criminal Law, International Human Rights, and Criminal Law and Procedure. He has published extensively on these subjects in internationally peer-refereed scholarly works. He serves on the editorial boards of a number of international periodicals. He is an Advocate and has practised law in Uganda. He was admitted as List Counsel, eligible to represent the accused and victims before the ICC. He has also served as an expert consultant to the Chief Prosecutor of the International Criminal Court and to the International Criminal Tribunal for Rwanda and in that capacity rendered opinions on complex legal issues. He also provided an expert legal opinion in a case that was pending before the African Commission on Human and People's Rights.

He served on the Advisory Committee of the War Crimes Research Office of the American University (USA), member of the International Advisory Board of the International Doctorate School of Excellence of the University Cologne (Germany) and a Visiting Scholar at the *Max-Planck Institute*, Freiburg (Germany). In 1982 he was a Fellow at the Institute of International Law and International Relations Research of the *Hague Academy of International Law*. He has also served on several international missions to investigate alleged violations of human rights and humanitarian law, to inspect prison conditions and to act as a trial observer. He has also served as a UN expert in criminal prevention and criminal justice, including the development of standards in the field. In 1996 the *International Society for the Reform of Criminal Law* awarded him a Medal in recognition of his contribution to international human rights and criminal law reform.

Between 1995 and 2002 Judge Nsereko actively participated as an expert in most of the sessions of the PrepCom and the Rome Diplomatic Conference of Plenipotentiaries. He also served on the Uganda Government Delegation to the first session of the Assembly of States Parties to the Rome Statute of the International Criminal Court and to the Inter-Sessional Meetings of the Special Working Group on the Crime of Aggression at Princeton, New Jersey.

# BIOGRAPHICAL NOTE

## *Ad Litem* Judge Prisca Matimba NYAMBE

*(Member of the Tribunal since 1 December 2009)*

**Zambia**

**Born:** 31 December, 1951

**Education and Professional Qualifications:**

| | |
|---|---|
| 1982 | Admitted as an Advocate of the High Court of Zimbabwe |
| 1978 | Admitted as an Advocate of the High Court of Zambia |
| 1975 | LL.B. Degree with honours, University of Zambia |

**Professional Experience:**

| | |
|---|---|
| 2009 to date | Judge *ad litem* of the International Criminal Tribunal for the former Yugoslavia (ICTY) assigned to the case of the Prosecutor of the Tribunal against Zdravko Tolimir |
| 2006 to date | Judge of the High Court of Zambia |
| 2005 | Elected Judge *ad litem* of the ICTY |
| 2002-2006 | General Counsel to International Criminal Tribunal for Rwanda (ICTR) |
| 2000-2002 | Chief of Section, General Legal Services Section, ICTR |
| 1996-2000 | Senior Legal Officer, Chief Court Management Section, ICTR |
| 1992-1996 | Private Law Practice |
| 1984-1992 | Deputy Legal Counsel rising to Legal Counsel to the Central Bank of Zambia |
| 1980-1984 | Senior Magistrate, Harare/Gwelo, Zimbabwe |
| 1978-1980 | Resident Magistrate, Kabwe, Zambia |

**Special assignments and other work experience:**

| | |
|---|---|
| 2009 to date | Project Leader: Initiative by the Zambia Judiciary to extend jurisdiction on serious economic crimes and corruption cases to the High Court |
| 2008 | Collaborator in a Direct Contact Mission to Ethiopia with the International Labour Organisation in Geneva |
| 2007 | Undertook a mission for the United Nations High Commission for Human Rights to the Democratic Republic of the Congo (DRC): "Justice for Victims of Sexual Violence in Congo" - special focus on Bunia Ituri District as a pilot project |
| 1995 | Human Rights Expert/International Observer, International Commission of Jurists, Trial of Dr Hastings Kamuzu Banda |

| | |
|---|---|
| 1994 | Human Rights Expert/International Observer, International Commission of Jurists, Presidential and Parliamentary Elections, Malawi |
| 1993 | Human Rights Expert/International Observer, International Commission of Jurists, Coordinator of Observer Mission to Malawi during National Referendum on the future political system for Malawi |

**Appointments**

| | |
|---|---|
| 1995 | Consultant to the Zambia Privatisation Agency |
| 1994 | Board of Directors of Cavemont Merchant Bank |
| 1994-1996 | Vice-Chairman of Law Association of Zambia |
| 1994 | Zambia Revenue Authority, Board Member |
| 1993 | Member of a study group appointed by Minister of Finance to research and reform the Financial System in Zambia |
| | Vice-Chairman of the Zambia Revenue Authority |
| 1992 | Patron of the University of Zambia Law Association |
| | Commissioner of Election Commission of Zambia - appointed by the President of the Republic of Zambia |
| 1991 | Zambia Independent Monitoring Team |
| 1989 | Member of Parliamentary Fact-Finding Committee - appointed by the Prime Minister of the Republic of Zambia |
| 1982-1994 | Council Member, Law Association of Zambia |

**Awards:**

| | |
|---|---|
| 2005 | Honoured with the Dignity and Rank of State Counsel by the President of the Republic of Zambia |
| 1999 | Letters of Recognition by two Judges of the ICTR |
| 1993-1994 | Elected Vice-Chairman, Law Association of Zambia |
| 1992 | Elected Patron, University of Zambia Law Association |
| | Nominated International Woman of the Year 1991/2, International Biographical Centre, Cambridge, England |
| 1984-1992 | Elected Council Member, Law Association of Zambia |
| | Governor of House Committee, Law Association of Zambia |
| 1989 | Awarded Certificate of Merit for Distinguished Services, International Biographical Centre, Cambridge, England |
| 1985 | Letter of Recognition as an outstanding participant to a Foreign Negotiation Seminar, International Law Institute, Washington D.C., U.S.A |

**Professional Memberships:**

**Law Association of Zambia**

**Commonwealth Lawyers Association**

**East African Law Society**

*****

# Alphons M.M.Orie
## Curriculum Vitae

- ORIE, Alphons (Alphonsus Martinus Maria)
- born 23rd November 1947, Groningen, the Netherlands
- Netherlands nationality
- married, four children
- E-mail: orie@un.org

| Education | |
|---|---|
| 1958-1966 | Gymnasium β |
| 1966-1971 | Legal education, University of Leyden, masters degree in law, Course in European Law (Criminal Law), Free University, Brussels |
| Languages | Fluent English, French and German. |

## Present position

2001- Permanent Judge of the International Criminal Tribunal for the Former Yugoslavia
Presiding Judge of Trial Chamber I;

At present Pre Trial Judge in Prosecutor vs Mladić and Presiding Judge in the trial Prosecutor vs Stanisić and Simatović;

Trial Judgements delivered since 2001 in the cases Prosecutor vs Gotovina et al. (2011); Prosecutor vs Haradinaj et al. (2008); Prosecutor vs Krajisnik (2006); Prosecutor vs Galić (2003).

Sentencing Judgements delivered since 2001 in the cases: Prosecutor vs Cesić (2004); Prosecutor vs Jokić (2004); Prosecutor vs Mrđa (2004); Prosecutor vs Babić (2004).

Involved in Pre-Trial proceedings in the cases against: Martić, Ljubičić, Stanković, Ademi/Norac (joined cases), Kovačević,/Prlić/Corić/Pusić/Stojić/Praljak/ Petković (joined cases); Limaj, Bala/Musliu (joined cases).

Presiding Judge of the Referral Bench which referred the cases: Prosecutor vs Stanković; Ademi; Janković; Mejakić/Gruban/Fustar/Knezević (joined cases); Ljubičić; Rasević/Todović (joined cases); Kovačević; Trbič.

Involved in adjudication of various contempt cases.

## Decorations and Honours

Appointed Officer in the Order of Orange-Nassau by Her Majesty the Queen of The Netherlands (2008);
Honorary Member of the Netherlands International Law Association (Nederlandse Vereniging voor Internationaal Recht) (2010).

## Other positions presently held

| | |
|---|---|
| 2000- | Member of the Supervisory Board of the Dutch Section of the International Commission of Jurists (NJCM); |
| 2001- | Member of the Advisory Board of the Amsterdam Centre for International Law. |

## Previous Positions

### Full time

| | |
|---|---|
| 1997-2001 | Justice of the Supreme Court of the Netherlands (2nd Chamber, deciding criminal cases); |
| 1980-1997 | Admitted to the Bar of the Supreme Court of the Netherlands, partner in the law firm Wladimiroff & Spong, The Hague. Main area of practice: criminal law, especially International criminal cases (transborder defence, extradition, transfer of prisoners, international judicial co-operation) and Supreme Court criminal cases; |
| 1995-1997 | Experience as assigned defence counsel in the International Criminal Tribunal for the former Yugoslavia, especially dealing with fundamental issues regarding the establishment and the jurisdiction of the ICTY and the examination of expert witnesses. |

| | |
|---|---|
| **1971-1980** | **Lecturer at Leyden University, department of Criminal Law.** |

**Part time**

| | |
|---|---|
| **1997-2010** | **Member of the Board of the Netherlands International Law Association (Nederlandse Vereniging voor Internationaal Recht);** |
| **1998-2001** | **Crown appointed Judge at the Disciplinary Court of Appeal for the Dutch Bar;** |
| **1980-2003** | **Co-founder and chairman of the Society for International Criminal Law (Gezelschap voor Internationaal Strafrecht), Dutch section of the International Association of Penal Law;** |
| **2000-2001** | **Member of an informal working group, advising the Ministries of Justice and Foreign Affairs on the implementing legislation for the Rome Statute (ICC);** |
| **1997-1998** | **Member of an ad-hoc informal working group, assisting the Ministry of Foreign Affairs in the preparation of the Rome conference on the ICC;** |
| **1994-1997** | **Subsidiary Judge of the Court of Appeal, Amsterdam;** |
| **1994** | **Member of an ad-hoc informal working group, assisting the registrar of the ICTY in the preparation of a Directive on the assignment of defence counsel;** |
| **1989-1994** | **Member of the Council of the Bar of the Supreme Court of the Netherlands (portfolio: criminal law, immigration law and education);** |
| **1983-1996** | **Member of three ad hoc legislative advisory committees to the Minister of Justice on:**<br>**- The position of the defendant in the field of international co-operation in criminal matters (1992-1994);**<br>**- The review of Supreme Court procedures in criminal cases (1995-1996);**<br>**- Simplified administrative procedure for minor traffic offences (1983-1985);** |
| **1972-1975** | **Subsidiary clerk of the District Court of The Hague.** |

**Publications**

**Book**

***(A general introduction to International Criminal Law)*** **International Strafrecht (1st edition 1980, 2nd ed. 1991, 3rd ed. 2002, co-authors J.v.d.Meijs, A.Smit and J.M.Sjöcrona, 4th ed. 2008 (411 p.), co-authors E. van Sliedrecht, J.M. Sjöcrona).**

Articles

Some 30 contributions were published in Dutch and foreign Law Journals and Textbooks, among which:

- Accusatorial v. Inquisitorial Approach in International Criminal Proceedings prior to the establishment of the ICC and in proceedings before the ICC (in: International Criminal Law, A Commentary on the Rome Statute, edited by Antonio Cassese, Oxford University Press, 2002, Vol. II p. 1439-1495);
- *(Rule 92 bis of the ICTY; what if oral testimony contradicts a previous written statement?)* Zegge of Schrijve? Oral testimony vs written statement, in: Iets bijzonders (liber amicorum Mischa Wladimiroff), Den Haag 2002, p. 299-317;
- Mechanisms of Developing Procedural Standards in International Adjudication: The Delicate Balance between the Judiciary and the Legislative Powers in Developing the Rules of Procedure in: Nouvelles Etudes Pénales, no 17, 1998, 383-387;
- *(The defence counsel under Dutch Law; in German language)* Der Strafverteidiger im Niederländischen Recht in: Europa und Strafverteidigung, Köln 1990. Bericht zum 14. Strafverteidigertag, p. 235-246.

Further detailed information will be made available at request.

Teaching and conferencing experience

Since 1980 (when the position of lecturer at the University of Leyden was left) frequent teaching, lecturing and participating in a great variety of graduate and postgraduate courses, seminars and conferences, mainly on subjects of International Criminal Law, among which:

The law of the International Tribunals, at Arusha School of Law, Arusha (Tanzania);

International Criminal Law, at various colloquia of the International Bar Association, in Dublin, London, Madrid and Munich;

International Criminal Law, at the Universities of Utrecht, Tilburg, Maastricht, Amsterdam, Rotterdam, Groningen, Leyden, Nijmegen (the Netherlands), Frankfurt (Germany), Vienna, Salzburg (Austria), Athens (Greece), Siracusa, Pisa, Torino (Italy), Sevilla (Spain), Moscow (Russian Association of International Law);

International Criminal Law, at various AIDP (Association International de Droit Penal) conferences and preparatory colloquia, in Strasbourg (France), Hammamet (Tunesia), Helsinki (Finland), Utrecht (the Netherlands), Hamburg (Germany), Cairo (Egypt), Vienna (Austria), Rio de Janeiro (Brazil) and Budapest (Hungary).

Workshops related to the prosecution of international crime, at the ECCC (Extraordinary Chambers in the Courts of Cambodia) Phnom Penh, (2008+2011), SCSL (Special Court for Sierra Leone), Bangladesh (to be held in September 2011).

# SEON KI PARK

Current address: United Nations International Criminal Tribunal for Rwanda (UNICTR),
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Tel: +255 27 2564028/5010; Mobile: +255 784207733; Facsimile: +255 27 504000/4373
Email: park13@un.org

Permanent address: Bundagng, Jungja-Dong, Doosan Zenith B-1602, Korea

Tel: +82 31 713 4276; Mobile: +82 10 2996 7261
Email: jagpsk@unitel.co.kr

*Gender:* Male

*Date of Birth:* March 14, 1954

*Nationality:* Republic of Korea

*Languages:* Korean: Mother tongue
English: Very Good

## Legal Education

Master of Comparative Law (American Practice), George Washington Law School 1984 – 1986
Washington D. C., USA

National Judicial Research & Training Institute 1979 – 1980
Seoul, Korea

Kyungbuk National University Graduate School (Major: Contract, Torts law) 1977 – 1978
Taegu, Korea

Bachelor; Law, Kyungbuk National University 1973 – 1977
Taegu, Korea

**Professional Qualifications:** Member of Korean Bar (1980), Member of Pennsylvania Bar, U.S.A. (1986)

**Academic positions:** Visiting Law Professor, Kyungbuk National Law University, Taegu, Korea (2008- Present)

## Professional Experience

**Judge, International Criminal Tribunal for Rwanda** 2004-Present

I have sat as a judge on numerous judgments and decisions, including:

- *The Prosecutor v. Nizeyimana* (2011-Present)
- *The Prosecutor v. Ndindiliyimana et al.* commonly referred to as 'Military II' (2004-2011)
- *The Prosecutor v. Kanyarukiga* (2009-2010)
- *The Prosecutor v. Rukundo* (2007-2009)
- *The Prosecutor v. Rugambarara* (2007)
- In addition, I am a member of the ICTR Rules Committee

**Member, Dae Dong Law Firm, Seoul, Korea** 2000 – 2004

In private practice, I acted as Counsel for a number of notable clients in a range of legal areas including criminal cases, examples include:

- Court appointed Defence Counsel for criminal cases of non-Koreans
- Korean Military Fund
- US Armed Forces
- Korean Government
- Korean Military Institute
- Insurance companies, and
- Clients in labor cases such as dismissals, discharge and contract cases.

**Legal Counsel of Ministry of Defence, (Major General), Korean Army** 1998 – 2000

The position required me to undertake extensive legal duties, including matters regarding the military justice system and administrative law including:

- Chief of joint national investigation unit between military prosecutor, public prosecutor and police
- Supervised all military investigations and prosecutions
- Chairman, Disciplinary Appeal Committee
- Chairman, Dispute Council for all armed forces personnel; hearing cases from army personnel relating to commissions, dismissal, suspensions, transfers and or termination
- Chairman, Central Claims Committee; heard all claims disputes between Armed Forces and civilians including cases of torts and operational loss
- Administrative Supervisor: requiring me to hear all law suits between Armed Forces and civilians including land disputes, torts, pension, contract violations and acquisitions.
- Supervised Military procurements and government contracts
- Liaising between military and Congress, Government and the Public on Military legal issues

**Judge Advocate General, (Brigadier General), Korean Army** 1996 – 1998

Appointed by the President, I had overall supervision of the Army justice system, including:

- Supervised all military investigations and prosecutions

- Assigned all military judges and prosecutors
- Administered all twenty army military courts
- Oversaw set-up of programme for Military personnel legal advice
- Supervised over 300 Military lawyers, providing legal advice to Military personnel regarding all legal issues including pension, wills and family law.
- Supervised all legal matters at Army HQ level including personnel, logistics, contracts, procurement, claims and disciplinary issues.

**Staff Judge Advocate of 3rd Field Army** 1994-1995

**Chief of Legal Affairs, Ministry of Defence** 1991 – 1993

Ministry level position, dealing with a range of administrative law matters on a daily basis and advising the legal Counsel of Ministry of Defence.

**Chief Judge, Korean Army Military Court** 1989-1990

The Korean Army Military Court is highest Army court in Korea. The Military Court dealt with only the most serious criminal cases including fraud, embezzlement and contract violations, etc.

**Internship, Arnold and Porter (US Law Firm)** 1988-1989
**Washington, D.C., USA**

Sponsored by the Korean government and the Asia Foundation, I spent one year studying government contracts in the US.

**Staff Judge Advocate of U.S. Korea Combined Forces Command,** 1986 – 1987
**Lieutenant Colonel;**

Main duties included advising Command on the law of war, plus advising on civilian claims in relation to damage to property suffered by joint military exercises, providing legal advice to civilian employees and advising on the Status of Forces Agreement ( SOFA) as issued by US and Korean Forces.

**JAG Officer, Korean Army** 1978 – 2000

Throughout my rise through the Korean Army I remained a JAG Officer. My main functions and mission were serving as defence counsel, military prosecutor and military judge.

**Honors**

- Honor :Chun-Su (National Decoration) 1997
- Presidential Medal 1991

## Training, Conferences and Seminars Attended:

- UNICTR, Chambers Continuous Legal Education Symposium in affiliation with the American Society of Law (ASIL), Ngurdoto Mountain Lodge, Arusha, Tanzania, 21- 23 October 2010
- Presentation: "UNICTR and lessons from Rwanda', International Conference for Justice and Reconciliation, Seoul, Korea, October 2009
- UNICTR, Chambers Legal Writing Seminar, Lake Manyara Serena, Tanzania, 9 -10 May 2008
- UNICTR, Legacy Symposium, "The Legacy of International Criminal Courts and Tribunals for Africa", 29 November – 1 December 2007
- "*Forums for International Justice*", Kigogoni Lodge, Arusha, Tanzania, 1-2 June 2007;
- *War Crimes and Genocide* Seminar, Rivertrees Country Inn, Arusha, Tanzania, 16-17 September 2006
- UNICTR, Chambers Continuous Legal Education Legal Writing Seminar 4-5 February 2006
- UNICTR Jurisprudence on Witness Protection Issues, Presentation and discussion, UNICTR, Arusha, Tanzania, 7 July 2005
- Forum entitled "*Promotion of an in depth understanding of significant evidentiary, procedural and substantive issues in the evolving criminal jurisprudence of both ad hoc tribunals*", Rivertrees Country Inn, Arusha, Tanzania, 22 May 2005
- UNICTR Judicial Writing Colloquium, Ngurdoto Mountain Lodge, Arusha, Tanzania, 29 - 30 April 2005
- UNICTR Chambers Legal Writing Seminar, Ngurudoto Mountain Lodge, Arusha, Tanzania, 4-5 February 2005
- "*Expediting the Judicial Process*", Rivertrees Country Inn, Arusha, Tanzania, 23 October 2004
- *"Adapting Roles and Future Trial Practice: Empirical Findings on the Roles of Judges and Lawyers in ICTR Trials 2000-2002"* New Arusha Hotel, Arusha, Tanzania, 10 October 2004
- *Law of War: Legal Training*, International Committee for the Red Cross, Italy, October 1995.
- *United Nations Peace Keeping Operations training*, New York, USA, October 1992

# NOTICE BIOGRAPHIQUE

CHAMBRES

**JUGE PICARD**

## Le Juge *ad litem* Michèle PICARD

*(Membre du Tribunal depuis le 3 mars 2008)*

France

**Date de naissance** : 20 avril 1955, Grenoble, France

**Études:**

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| 1980-1982 | École nationale de la magistrature. |
| 1978 | Maîtrise en droit - Université de Paris II. |

**Expérience professionnelle :**

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| Depuis 2007 | Membre du « Human Rights Advisory Panel in Kosovo ». |
| Depuis 2005 | Vice-présidente du Tribunal de grande instance de Paris. |
| 2001-2005 | Vice-Présidente au tribunal de la grande instance de Nanterre. |
| 1997-2003 | Présidente de la Chambre des droits de l'homme de Bosnie-Herzégovine. |
| 1996-2003 | Membre de la Chambre des droits de l'homme de Bosnie-Herzégovine. |
| 1995-2001 | Juge au tribunal de grande instance de Paris. |
| 1989-1995 | Détachée à la Direction des affaires juridiques du Ministère des affaires étrangères. |
| 1987-1989 | Mise à disposition du Ministère de l'économie et des finances |
| 1985-1987 | Auditeur à la cour de cassation. |
| 1982-1984 | Juge au tribunal de grande instance de Béthune. |

**Activités dans le domaine des droits de l'homme:**

Le Juge Picard a été membre suppléant de la Sous-Commission de la promotion et de la protection des droits de l'homme des Nations Unies.

Elle est aussi une experte auprès du Conseil de l'Europe pour les exercices de comptabilité du droit national avec la Convention européenne des droits de l'homme concernant l'ex-République yougoslave de Macédoine, l'Albanie et la Bosnie-Herzégovine.

Pendant mon détachement au Ministère des affaires étrangères :
- Traitement du contentieux français des droits de l'homme devant la Commission et la Cour européenne des droits de l'homme et les comités conventionnels des Nations Unies;
- Négociation des instruments internationaux relatifs aux droits de l'homme;
- Participation à des comités du Conseil de l'Europe et à des groupes de travail des Nations Unies;
- Participation à de nombreuses conférences dans le cadre des Nations Unies et de la Conférence sur la sécurité et la coopération en Europe;
- Experte indépendante de la commission des Nations unies sur les droits de l'homme pour l'Ouzbékistan.

**RAJOHNSON Mparany Mamy Richard**
Né le 30 Juillet 1948 à Antananarivo, Madagascar
Nationalité : Malagasy
Juge ad litem au Tribunal Pénal International pour le Rwanda
*Marié, Père de trois (03) enfants*
Adresse à Madagascar : Logement N° 742 Cité Ampefiloha
Antananarivo – Madagascar
Tél : + 261 34 45 896 43 / + 255 78 44 012 47

## [illegible]

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| **1977 :** | **Licence en Droit** |
| **1978 :** | **Diplôme de l'Institut d'Etudes Judiciaires** |

## [illegible]

- **Officier de l'Ordre National Malgache**
- **Chevalier de l'Ordre du Mérite de Madagascar**

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| **Janvier 2009 à ce jour :** | **Juge ad litem au Tribunal Pénal International pour le Rwanda dans 3 procédures dont l'une jugée le 30/06/2010 et les 2 autres en cours** |
| **Année 2008 :** | **Procureur Général par intérim de la Cour d'Appel d'Antananarivo** |
| **Octobre 2002 à Mars 2007 :** | **Secrétaire Général du Ministère de la Justice de la République de Madagascar** |
| **Août 1997 à Octobre 2002 :** | **Directeur du Contrôle du Fonctionnement des Juridictions et des Etablissements Pénitentiaires** |
| **Décembre 1996 à Août 1997 :** | **Doyen des Juges d'Instruction au Tribunal de Première Instance d'Antananarivo** |
| **Octobre 1993 à Décembre 1996 :** | **Chef du Service des Affaires Criminelles au Ministère de la Justice** |
| **Octobre 1992 à Octobre 1993 :** | **- Mise en disponibilité de la Magistrature**<br>**- Inspecteur chargé des Affaires Juridiques dans la Compagnie d'Assurances *Ny Havana*, Antananarivo** |
| **Octobre 1990 à Octobre 1992 :** | **Vice Président du Tribunal de Première Instance d'Antsirabe** |
| **Juin 1986 à Octobre 1990 :** | **Juge et Juge d'Instruction au Tribunal de Première Instance d'Antsirabe** |
| **Juin 1979 à Juin 1986 :** | **Premier Substitut du Procureur de la République du Tribunal de Première Instance d'Antsirabe** |
| **Juillet 1978 à Juin 1979 :** | **Juge et Juge d'Instruction au Tribunal de Première Instance de Manakara** |
| **1997 à 2008 :** | **Formateur des Elèves Magistrats à l'Ecole Nationale de la Magistrature et des Greffes de Madagascar (Antananarivo)** |

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| **Février 2006 :** | Participation à la formation Continue des Magistrats à Antananarivo sur « l'Ethique et la Déontologie : Améliorer la conduite professionnelle des Magistrats et la qualité de la Justice Pénale anti-corruption ». |
| **Avril 2004 :** | Participation au Séminaire exécutif sur le Leadership et le Management à l'ENAP – Québec. |
| **Décembre 2001 :** | Participation à la formation Continue des Magistrats sur « La Chambre de Cassation de la Cour Suprême et la Technique de Cassation » à l'Ecole Nationale de la Magistrature et des Greffes. |
| **Mars 2001 :** | Session Nationale de formation continue des Magistrats qui s'est tenue à Antananarivo en partenariat avec les cabinets ARD/CHECHI et JURECO sur le thème « Journée de formation en Arbitrage ». |
| **Février 2001 :** | Communication à la Conférence débat organisée par Transparency International, la Formation Friedrich Ebert et l'Association des Etudiants en Droit de Madagascar sur le thème « Les actions contre la Corruption – les Principaux Objets de Réforme de Textes et de Structures ». |
| **Mars 2000 :** | Séminaire sur « l'Evaluation des Activités Juridictionnelles et l'Inspection sous l'égide de l'Inspection Générale des Services Judiciaires Français à l' l'Ecole Nationale de la Magistrature à Paris. |
| **1998 – 2000 :** | Co-directeur avec Mr. RAMANANDRAIBE Romain, Directeur Général des Etudes et des Réformes au Ministère de la Justice, des 7 sessions de Formation Continue des Magistrats de toutes les Provinces sur « la Détention Préventive ». |
| **1999 et 2000 :** | Président du Jury à l'Examen de Fin d'Etudes, d'Aptitudes et de Classement des deux premières promotions des élèves Magistrats à l'Ecole Nationale de la Magistrature et des Greffes. |
| **Octobre 1999 :** | Séminaire sur « l'Ethique et la Déontologie des Magistrats » à l'Ecole Nationale de la Magistrature et des Greffes sous la direction de Monsieur RAHETLAH Jonah, Procureur Général Près la Cour Suprême et Monsieur DENIS Salas, Magistrat, Maître de Conférence à l'Ecole Nationale de la Magistrature Française. |
| **Mai 1999 :** | Séminaire EDI sur « le Contrôle Judiciaire de la Corruption » à Antananarivo. |
| **Novembre 1998 :** | Intervention à la « Formation sur l'Inspection » à l'Ecole Nationale de la Magistrature et des Greffes sous la Direction de Monsieur GERONIMI, Avocat Général à la Cour de Cassation Française, sur le thème « des Missions d'Enquête et d'Inspection de la Direction de Contrôle-Objectifs, déclenchement de la procédure et techniques et outils ». |
| **Février 1996 :** | Participation à la « Conférence Nationale sur la Stratégie de la Valorisation de la Fonction de Juger ». |

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| **Septembre 1997 :** | Co-directeur avec M. Gilbert COUSTEAUX, ancien Conseiller à la Chambre d'Accusation de la Cour d'Appel de Toulouse, Ancien Maître de Conférence à l'Ecole Nationale de la Magistrature Française et Inspecteur à l'Inspection générale des Services Judiciaire Français de la Formation Continue des Magistrats Malgaches sur l'Instruction Préparatoire et la Chambre d'Accusation. |
| **Juin 1997 :** | Session de Formation des Formateurs-Magistrats à l'Ecole Nationale de la Magistrature Française à *Bordeaux*. |
| **Octobre 1996 :** | Colloque International sur la Délinquance Economique et Financière à Antananarivo. |
| **Septembre 1994 :** | Séminaire de l'Institut International de Développement du Droit (IDLI) sur l'Arbitrage en Matière de Droit Commercial et les méthodes de Conciliation à Antananarivo. |

Je déclare sur l'honneur, sincères, les renseignements donnés ci-dessus.

Fait à Antananarivo le 02 Août 2011

RAJOHNSON Mparany Mamy Richard

# PATRICK LIPTON ROBINSON

## INTERNATIONAL CRIMINAL TRIBUNAL FOR THE FORMER YUGOSLAVIA

Mr. Patrick Lipton Robinson is currently President of the United Nations International Criminal Tribunal for the former Yugoslavia (ICTY). Mr. Robinson has been a Judge on the Tribunal since November 1998. During his tenure on the Tribunal, he has served as Presiding Judge of Trial Chamber III; Presiding over the Slobodan Milosevic trial; and Member of the Bureau of the Tribunal. He was assigned to sit in the Appeals Chamber in several cases prior to 2008.

A significant achievement of Mr. Robinson's Presidency was the hosting of a very successful Conference in February 2010 on the Legacy of the Tribunal in the States of the former Yugoslavia. The two day Conference, which had more than 350 participants, examined the capacity building efforts of the Tribunal in relation to national judiciaries, stressed that the Tribunal's legacy was not the Tribunal's private property, but that it was, in fact the legacy of the various States of the former Yugoslavia and that, in that regard it was imperative that there should be national ownership of the Tribunal's legacy. In September 2011 the Tribunal will host a second Conference on the Global Legacy of the Tribunal.

By virtue of Mr. Robinson's background in criminal law, his extensive work in such areas as Truth Commissions, extradition and mutual legal assistance, his academic qualifications, and the wealth of his experience in international law, he has been able to bring to the International Tribunal a combination of the two qualities essential to the performance of the work of a Judge of the Tribunal: competence and experience in criminal law, especially at the trial level, and expertise in international law.

## EDUCATION

BA University College of the West Indies, London (1964)
LLB University of London, London (1968)
Barrister at Law, Middle Temple, London (1968)
LLM (International Law) Kings College, University of London (1972)

## PROFESSIONAL CAREER

Mr. Robinson joined the Jamaican Government Service in 1968. He worked as a Crown Counsel in the Office of the Director of Public Prosecutions (DPP) for three (3) years. He spent the rest of his career in the Attorney General's Department where he ended his public service as Deputy Solicitor General

From 1972 to 1998, Mr. Robinson was an Advisor to the Ministry of Foreign Affairs and other Ministries on International Law and international affairs. An expert in the law of treaties, he chaired Jamaican treaty-making negotiations in several areas of international law, including bilateral investment treaties, mutual legal assisting in criminal matters, extradition, maritime delimitation, arms trafficking and privileges and immunities. He was the leader of several Jamaican delegations in the negotiation of treaties in many areas of international law, including extradition, investment protection, environment, intellectual property, maritime delimitation, privileges and immunities and mutual assistance in criminal matters.

In the course of a professional career in the Jamaican Government service spanning twenty-six years, Mr. Robinson represented Jamaica at many plenipotentiary conferences, including the Third

United Nations Conference on the Law of the Sea, in which he made a significant contribution to the elaboration of the provisions in the UN Convention on the Law of the Sea relating to Limits to National Jurisdiction.

Mr. Robinson was very active in the Sixth (Legal) Committee of the United Nations General Assembly, where he played a leadership role on several items in the Committee, including Succession of States in relation to Treaties; the Definition of Aggression, Jurisdictional Immunity of States and their Property; the Status of the Diplomatic Courier; the Code of Crimes against the Peace and Security of Mankind and the UN Statute for an International Criminal Court.

Mr. Robinson was awarded the Order of Jamaica by the Government of Jamaica for services in the field of international law and relations - 2009.

## MEMBERSHIP ON INTERNATIONAL BODIES

Mr. Robinson served as Jamaica's representative on several United Nations bodies, including the United Nations Commission on International Trade Law (UNICTRAL), the UN Commission on Transnational Corporations, the United Nations Conference on Trade and Development (UNCTAD); the International Bioethics Committee of the United Nations Educational, Scientific and Cultural Organization (UNESCO); and the World Intellectual Property Organization (WIPO)

As a member of the International Law Commission, Mr. Robinson made a substantial contribution to the codification and progressive development of international law in all areas of the Commission's work. As a member of the Commission's Working Group on the Statute of an International Criminal Court, Mr. Robinson was active in the successful and expeditious elaboration of a Statute which was adopted by the Commission in 1994 for presentation to the 49th Session of the United Nations General Assembly, and was the basis for the work of the UN Preparatory Committee in respect of the Statute of the International Criminal Court.

As a member of the Inter-American Commission on Human Rights of the Organization of American States (OAS) from 1987 to 1995, serving as President of the Commission in 1991, Mr. Robinson contributed to the development of a corpus of human rights law for the Inter-American System at a critical time in Latin America's history that witnessed the transition of many countries from military rule to democratic regimes. He worked to ensure that the Inter-American human rights system benefited, as appropriate, from relevant features of the civil and common law. Mr. Robinson represented the Commission in cases heard by the Inter-American Court of Human Rights.

In 1995, he was appointed as a foreign member of the Truth and Justice Commission of Haiti. The Commission's purpose was to establish the truth about the most serious rights violations committed during the de facto military regime from1991 to 1994. While Mr. Robinson had a wide role in the Commission, he was especially responsible for the drafting of the Chapter in the report on Rape and Sexual Offences against Women constituting Torture and Crimes against Humanity.

Mr. Robinson's expertise in international law has led to his being retained as expert consultant by the Commonwealth Secretariat; the UN Centre for Transnational Corporations in the areas of investment treaties and the Draft UN Code of Conduct on Transnational Corporations; by UNCTAD in relation to investment treaties; by the United Nations Environmental Programme (UNEP) in the drafting of a Protocol on Specially Protected Areas and Wildlife for the Wider Caribbean Region; and by the Caribbean Community (CARICOM) in the drafting of the Rules of Procedures for the Caribbean Court of Justice in the exercise of its original jurisdiction. He has also served as an Arbitrator of the International Centre for the Settlement of Investment Disputes.

## PAPERS AND PUBLICATIONS:

Mr. Robinson has given numerous lectures and has published extensively on several areas of international law, including the Law of the Sea, the protection of foreign investment, the Law of Treaties, human rights, treaty negotiations and international criminal justice. These include the following:

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| **2010** | Protecting Humanity: Essays in International Law and Policy in Honour of Navantham Pillay, Edited by Chile Eboe-Osuji - Martinus Nijhoff Publishers 2010, Contributed Chapter 33: "Judicial Independence and the Rule of Law". |
| **2009** | The Right to a Fair Trial in International Law with specific reference to the work of the ICTY, Berkley Journal of International Law Publicist, Volume 3, 2009 pp1-11. |
| **2009** | The Interaction of Legal Systems in the Work of the International Criminal Tribunal for the former Yugoslavia- I.L.S.A. Journal of International and Comparative Law Vol. 16, Fall 2009; Number 1 pages 5-17. |
| **2005** | Article entitled, "Fair but Expeditious Trials," in "The Dynamics of International Criminal Justice" International Law Series, Essays in Honour of Sir Richard May, 2006 (Hirad Abtahi and Gideon Boas Eds.). |
| **2005** | Article entitled, "Rough Edges in the Alignment of Legal Systems in the Proceedings at the International Criminal Tribunal for the former Yugoslavia," published in the Journal of International Criminal Justice 3 (2005), 1037-1058. |
| **2002** | Article entitled, "Human Rights and State Power in Troubled Times", West Indies Law Journal, Vol. 27(1) 2002, p49 |
| **2002** | Contributed the Chapter on "the Missing Crimes" in a book entitled "The Rome Statute of the International Criminal Court: A Commentary" (Editors, Professor Antonio Cassese, Paola Gaeta and John R.W.D. Jones); published by Oxford University Press, 2002, p497. |
| **1997** | Paper on "Protection of Human Rights in the Democratic Reality in the Hemisphere: Problems and Challenges" for a Symposium (under auspices of the Inter-American Commission on Human Rights) on the Structure of the Inter-American System for the Promotion and Protection of Human Rights: Evaluation and Challenges. |
| **1997** | Paper on "The Definition of Investment in Regional and Multilateral Investment Treaties and their Implication for Development" – presented at UNCTAD Meeting of Experts on Regional and Multilateral Investment Treaties and their Implications for Development. |
| **1992** | Article entitled, "The Inter-American Human Rights System, published in the West Indian Law Journal, Volume 17, p8, May 1992. |

## PAPERS AND LECTURES

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| 2011 | Address to the Oxford Union: Challenges to the Rule of Law in International Criminal Justice |
| 2009 | Keynote Address, "Fairness and Efficiency in the Proceedings of the ICTY", Inaugural Conference of the Caribbean Association of Judicial Officers, Port of Spain, Trinidad and Tobago – June 2009. |
| 2009 | Paper on the Fiftieth Anniversary of the European Court of Human Rights: The Interaction between the European Court and Other International Courts; Overlapping System of Law. |
| 2009 | The Interaction of Legal Systems in the Work of the International Criminal Tribunal for the former Yugoslavia – Nova South Eastern University, Davie, Florida, USA. |
| 2005 | Paper entitled, "Rough Edges in the Alignment of Legal Systems in the Proceedings at the International Criminal Tribunal for the former Yugoslavia", delivered at the Global Jurisprudence Colloquium at Stanford Law School on 18.03.2005. |
| 2001 | Special Lecture on the Character of Fairness in Trials at the International Tribunal for the former Yugoslavia – University of Toronto – December 2001. |
| 2001 | Paper entitled "Overview of the Main Instruments in the Inter-American System of Human Rights" presented at a seminar on the Inter American System of Human Rights for Caribbean countries, under the auspices of the Inter-American Commission on Human Rights – Granada, February, 2001. |
| 2000 | Paper presented on the topic, "Legal Order and the Enforcement of International Law and Human Rights – New Developments regarding the International Responsibility of Individuals" – at the 2000 European Forum Alpbach, organized by the Austrial College, August 2000; seminar leader and discussant on other topics at the Forum. |
| 1999 | Lecture entitled, "Ensuring Fair and Expeditious Trials at the International Criminal Tribunal for the former Yugoslavia", delivered at Leiden University, Netherlands on the commencement of its LL.M Programme in International Criminal Law. |

## OTHER LEGAL ACTIVITIES

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| 2008 | Member of an International Centre for the Settlement of Investment (ICSID) Committee to consider the annulment of an award by an ICSID Arbitral Tribunal. |
| 2010 | Presiding Arbitrator of an ICSID Arbitral Tribunal. |

# CURRICULUM VITAE.

## DATOS PERSONALES

- Nombre: Carlos Ernesto Sánchez Escobar.
- Profesión: Abogado.
- Ejercicio Profesional: Juez, Profesor Universitario y Consultor en Derecho.
- Edad: cuarenta y seis años.
- Nacionalidad: Salvadoreño.
- Estado civil. Casado.

## ESTUDIOS ACADÉMICOS DE PREGRADO

- Licenciatura en Ciencias Jurídicas. Universidad de El Salvador (UES). 1,986 - 1,991.

## ESTUDIOS DE POSTGRADO

- Maestría en Administración de Justicia Penal. Universidad Nacional de Costa Rica. 2006-2007.
- Especialidad en Administración de Justicia Penal. Programa en Administración Justicia en Centro América, Panamá y El Caribe. Enfoque Socio-jurídico. Universidad Nacional de Costa Rica. 2000/2001.

## TÍTULOS OBTENIDOS

- Máster en Administración de Justicia Penal. Universidad Nacional de Costa Rica.
- Especialista en Administración de Justicia Penal por la Universidad Nacional de Costa Rica. República de Costa Rica.
- Licenciado en Ciencias Jurídicas por la Universidad de El Salvador, República de El Salvador.

## OTROS ESTUDIOS SUPERIORES.

- Instancia de Estudio y conocimiento del Sistema Judicial Español y de los Países Bajos. Auspiciado por el Servicio de Relaciones Internacionales del Consejo General del Poder Judicial del Reino de España y de HIVOS de Holanda. Abril-Mayo. 2008.

- Especialidad en Derecho del Mercado Financiero. Auspiciado por Consejo Nacional de la Judicatura Secretaría Técnica de la Presidencia de la República. Banco Interamericano de Desarrollo. 2006/2007.

- Pasantía por la Universidad Nacional de Costa Rica en el Tribunal Superior de Casación Penal. República de Costa Rica. 2000-2001.

- Estudios sobre "Destrezas en el Juicio Oral". Auspiciado por La Comisión Nacional para el Mejoramiento de la Administración de Justicia, el Centro McGill para la Resolución Creativa de Conflictos, en el Proyecto Regional de Justicia del Programa de las Naciones Unidas para el Desarrollo y el Departamento de Cooperación Jurídica de la OEA. San José. Costa Rica. Agosto 2000.

- Estudios Superiores en Materia de Juicio Oral, Técnicas de Interrogatorio y Presentación de Evidencia en la Escuela de Derecho de la Universidad de Puerto Rico. 1997.

## CAPACITACIONES RECIBIDAS Y PARTICIPACIONES.

- Participante del Seminario "Liderazgo: Relaciones y *Empowerment*. Impartido por INCAE. *Business School*. San Salvador. Febrero. 2011.

- "Mesa Redonda de Institucionalidad Democrática "Transparencia y Rendición de Cuentas en la Administración Pública. Auspiciado por FUSADES Y USAID. San Salvador. Octubre 2010.

- V Curso de Análisis Económico del Derecho para Jueces. Auspiciado por la Asociación Latinoamericana e Ibérica de Derecho y Economía, Escuela Superior de Economía y Negocios. El Salvador. . Abril. 2010.

- Participante de la Conferencia "La libertad de Expresión en la Jurisprudencia del Sistema Interamericano de Derechos Humanos". Auspiciado por la Sala de lo Constitucional de la Corte Suprema de Justicia. San Salvador. Abril. 2010.

- Segundo Seminario sobre la Corte Penal Internacional. Ministerio de Relaciones Exteriores de la República de El Salvador. Abril. 2010.

- Participante del Foro "Los adolescentes infractores y la Ley Penal Juvenil". Contribuciones para una efectiva reinserción social". Auspiciado por Consejo

Nacional de Seguridad Pública y el Fondo de Naciones Unidas para la Infancia (UNICEF). San Salvador. Marzo. 2010.

- Primer Seminario sobre la Corte Penal Internacional. Ministerio de Relaciones Exteriores de la República de El Salvador. Febrero. 2010.
- Curso de Extensión Universitaria en Política Criminal. Universidad Centroamericana "José Simeón Cañas". El Salvador. Noviembre-Diciembre-2009
- Participante del evento "Institucionalidad, diálogo democrático y políticas públicas". Auspiciado por la Fundación Salvadoreña para el Desarrollo Económico y Social (FUSADES) y el Programa de las Naciones Unidas para el Desarrollo (PNUD). San Salvador. Abril. 2009.
- Curso "Delitos contra el medio ambiente". Auspiciado por el Consejo Nacional de la Judicatura. Escuela de Capacitación Judicial. San Salvador. Mayo. 2009.
- Participante del evento "Uniendo esfuerzos para el fortalecimiento del Estado de Derecho en el combate a la trata de personas con fines de explotación sexual comercial". Presentación de los resultados de la Fase I (2006-2008) del Proyecto. Auspiciado por CEMUJER Y CORDAID. San Salvador. El Salvador. Diciembre. 2008.
- Participante del evento "Tercera Semana de la Transparencia". Auspiciado por FUSADES, FUNDE y USAID. San Salvador. El Salvador. Diciembre 2008.
- Participante del Foro "XXV Aniversario de la Constitución de la República de El Salvador retos y perspectivas. Auspiciado por FESPAD. San Salvador. El Salvador. Noviembre. 2008.
- Participante del evento "Democracia y Crecimiento: Fundamentos del Desarrollo. Estrategia económica, social e institucional. 2009-2014. Auspiciado por FUSADES. San Salvador. El Salvador. Noviembre. 2008.
- Participante de la X Conferencia Iberoamericana del Sector de Justicia "Innovaciones en la Administración de Justicia". Unidad Técnica Ejecutiva del Sector de Justicia. San Salvador. El Salvador. Noviembre. 2008.
- Participante del evento "Retos y potencialidades de la Conciliación Judicial". Auspiciado por el Consejo Nacional de la Judicatura y USAID. Noviembre. San Salvador. El Salvador. 2008.
- Participante del evento "Presentación pública de los principales hallazgos y recomendaciones de la segunda parte del estudio: "Las Instituciones Democráticas en El Salvador. Valoración de Rendimientos y Plan de Fortalecimiento". Auspiciado por FUSADES. San Salvador. El Salvador. Octubre. 2008.
- Participante del taller "Política Nacional para la Erradicación de la Trata de Personas en El Salvador. Auspiciado por el Comité Nacional contra la Trata de Personas, el Instituto de Estudios de la Mujer y la Agencia Católica Holandesa de Cooperación (CORDES). San Salvador. El Salvador. Mayo. 2008.

- Participante del Seminario "Formación de Formadores. Maestría Judicial". Auspiciada por el Consejo Nacional de la Judicatura en el marco del Programa Regional de Fortalecimiento de la Justicia Laboral CAFTA-DR. San Salvador. Abril. 2008.

- Participante del Foro "Impunidad: Causa de injusticia social, irrespeto a los derechos humanos y obstáculos para construir una sociedad en paz. Cátedra de Derechos Humanos "Dra. María Julia Hernández". Auspiciado por Tutela Legal del Arzobispado. El Salvador. Marzo 2008.

- Participante del Conversatorio Internacional "Tendencias del Derecho Penal Salvadoreño y los Derechos Humanos". Auspiciado por la Procuraduría para la Defensa de los Derechos Humanos y la Asociación Americana de Juristas. El Salvador. Febrero. 2008.

- Participante de las "Jornadas judiciales de socialización e intercambio del sistema de justicia en el combate a la trata de personas". Corte Suprema de Justicia. CEMUJER. El Salvador. Febrero. 2008.

- Participante en el Taller "El proyecto del Código Procesal Penal a la luz de la Política Criminal y los Derechos Humanos". Auspiciado por la Procuraduría para la Defensa de los Derechos Humanos. El Salvador. Febrero. 2008.

- Participante del Taller "Anteproyecto de Código Procesal Penal". Auspiciado por el Consejo Nacional de la Judicatura. El Salvador. Enero. 2008.

- Participante del Foro "La segunda semana de la transparencia y valores éticos". Auspiciado por Fundación Salvadoreña para el Desarrollo Económico y Social (FUSADES) Fundación Nacional para el Desarrollo (FUNDE) Agencia de los Estados Unidos para el Desarrollo Internacional (USAID) Banco Mundial, Transparencia Internacional, Programa de Naciones Unidas para el Desarrollo y el Trust de las Américas. El Salvador. Diciembre. 2007.

- Participante del Congreso Internacional sobre Globalización y Derecho. Nuevos retos de la administración de justicia ante la globalización. Auspiciado por la Corte Suprema de Justicia y Consejo Nacional de la Judicatura. El Salvador. Noviembre 2007.

- Participante del Curso "Tratamiento Penal de la Delincuencia Organizada". Auspiciado por Corte Suprema de Justicia y Consejo Nacional de la Judicatura. El Salvador. Noviembre. 2007.

- Participante del Conversatorio "La importancia del Diálogo y la Consolidación de la Democracia. La experiencia Chilena". Auspiciado por Fundación Salvadoreña para el Desarrollo Económico y Social (FUSADES) y el Programa de Naciones Unidas para el Desarrollo (PNUD). El Salvador. Noviembre 2007.

- Participante del Foro "Hacia la construcción de la ética pública en El Salvador. Auspiciado por USAID y Tribunal de Ética Gubernamental. . El Salvador. Octubre 2007.

- Participante de la Conferencia "La importancia de los indicadores de transparencia y eficiencia judicial". Auspiciado por Consejo Nacional de la Judicatura y USAID. El Salvador. Agosto. 2007.
- Participante del Foro "Derechos Humanos de las Mujeres Privadas de Libertad". Auspiciado por la Unidad de Genero de la Corte Suprema de Justicia. El Salvador. Agosto. 2007
- Participante del Panel "Delitos contra la libertad sexual". Auspiciado por la Corte Suprema de Justicia y el Proyecto de Modernización del Banco Mundial. El Salvador. Julio. 2007.
- Participante del Panel "Aspectos Jurídicos del Ante Proyecto de Ley de Transplantes de Órganos". Auspiciado por la Universidad Salvadoreña Alberto Masferrer. Junio. 2007.
- Participante del "Curso Regional de Capacitación en Delitos Ambientales" auspiciado por Academia Internacional para el Cumplimiento Legal (ILEA) Agencia para la Protección Ambiental de los Estados Unidos (USEPA) Agencia Internacional para el Desarrollo de los Estados Unidos de América (AID) Comisión Centroamericana de Ambiente y Desarrollo (CCAD). El Salvador. Marzo. 2007.
- Participante de la Conferencia "La Ética y la transparencia en la Administración de Justicia". Auspiciado por Consejo Nacional de la Judicatura, el Tribunal de Ética Gubernamental y la Agencia para el Desarrollo Internacional de los Estados Unidos de América. Marzo. 2007.
- Participante del Foro "Aciertos y desafíos en la aplicación de la legislación en materia de violencia contra la mujer". Auspiciado por Programa de Naciones Unidas para el Desarrollo (PNUD) y UNIFEM.. San Salvador. Diciembre. 2006
- Participante del IV Seminario Interamericano sobre "Gestión Judicial". Auspiciado por Corte Suprema de Justicia y el Centro de Estudios de Justicia de las Américas (CEJA). El Salvador. Noviembre. 2006.
- Participante del Foro "Los Sistemas Comparados de Justicia de El Salvador y el Sistema Procesal Penal Japonés". Desafíos para la reforma procesal futura. Auspiciado por El Instituto de Naciones Unidas para Asia y Lejano Oriente en Prevención del Delito y Tratamiento del Delincuente (UNAFEI) el Instituto Latinoamericano de las Naciones Unidas para la Prevención del Delito y Tratamiento del Delincuente (ILANUD) la Agencia Internacional de Cooperación de Japón (JICA) y la Fundación de Estudios para la Aplicación del Derecho (FESPAD). El Salvador. Julio. 2006.
- Participante de la Mesa "Las Relaciones Ejecutivo-Legislativo". Auspiciada por la Fundación Salvadoreña para el Desarrollo Económico y Social. FUSADES. El Salvador. Junio. 2006.
- Participante del Curso-Taller "La Psiquiatría Forense en la Investigación Criminal". Auspiciado por la Universidad Salvadoreña "Alberto Masferrer". Con el apoyo del Instituto Nacional de Medicina Legal y Ciencias Forenses de Cali, Colombia. San Salvador. El Salvador. Mayo 2006.

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- Participante del Taller "Experiencia del Proceso Penal Salvadoreño. Oportunidades del Futuro. Auspiciado por la Corte Suprema de Justicia y el Consejo Nacional de la Judicatura. Escuela de Capacitación Judicial. Abril 2006.

- Participante de la Mesa "Poder Judicial". Auspiciada por la Fundación Salvadoreña para el Desarrollo Económico y Social. FUSADES. El Salvador. Febrero. 2006.

- Participante del Intercambio Judicial sobre cómo Combatir la Trata de Personas. Auspiciado por la Embajada de los Estados Unidos en El Salvador, El Departamento de Justicia de los Estados Unidos de América y el Consejo Nacional de la Judicatura. Enero 2006.

- Participante del Primer Congreso sobre Derecho Constitucional. Auspiciado por el Instituto Iberoamericano de Derecho Constitucional. Sección El Salvador. El Salvador. Noviembre 2005.

- Participante de la Mesa "Elecciones y sistema Electoral" y "Los Partidos y el Sistema de Partidos". Auspiciada por la Fundación Salvadoreña para el Desarrollo Económico y Social. FUSADES. El Salvador. Noviembre. 2005.

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- Participante de la Mesa "Reforma Institucional y Control de Fondos Públicos". Auspiciada por la Fundación Salvadoreña para el Desarrollo Económico y social. FUSADES. El Salvador. Septiembre. 2005.

- Participante del Primer Foro sobre Transparencia y Excelencia Judicial. Auspiciado por el Foro de Jueces Democráticos e Independientes y Hivos (Holanda). Agosto. 2005.

- Participante de las Mesas de Trabajo del Consejo Consultivo de Seguridad Pública. Ministerio de Gobernación República de El Salvador. Agosto. 2005

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Salvadoreña para [illegible] Desarrollo Económico y Social (FUSADES), Agencia Española de Cooperación Internacional y la Universidad de Salamanca. El Salvador. Junio 2005.

- Participante del Foro "*Políticas Migratorias y Derechos Humanos*". Auspiciado por la Fundación de Estudios para la Aplicación del Derecho, Instituto de Derechos Humanos de la Universidad Centroamericana José Simeón Cañas y Tutela Legal del Arzobispado. El Salvadur. Junio 2005.
- Participante del Foro "*Salidas a la Violencia*". Auspiciado por la Prensa Gráfica y el Programa de las Naciones Unidas para el Desarrollo (PNUD). El Salvador. Mayo 2005.
- Participante del Foro "*Caso hermanas Serrano Cruz, por la Verdad y la Justicia*". Auspiciado por La Asociación Pro-Busqueda. El Salvador. Abril 2005.
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- Participante del Curso "*Didáctica del Derecho*". Auspiciado por Fundación de Estudios Para la Aplicación del Derecho. FESPAD. El Salvador. Septiembre 2003.

- Participante del Taller "*Observaciones y Exposición de Buenas Prácticas Judiciales en los Tribunales de Sentencia de El Salvador*". Auspiciado por USAID. DPK-Consulting. Consejo Nacional de la Judicatura. El Salvador Septiembre 2003.

- Participante del "*Curso de Post-Grado en Criminología*". Auspiciado por Fundación de Estudios Para la Aplicación del Derecho. FESPAD. El Salvador. Julio 2003.

- Participante del Coloquio "*Reglas de Evidencia*" . Auspiciado por Proyecto Para el Apoyo del Sistema de Justicia. PAS-DPK. Consulting. El Salvador. Julio 2003.

- Participante del Curso "Aplicación de la Teoría Jurídica del Delito en el Proceso Penal". Auspiciado por la Escuela de Capacitación Judicial. Consejo Nacional de la Judicatura. DPK-Consulting. Mayo. 2003.

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- Participante de la Conferencia *"Estado Actual de la Política Criminal en Latinoamerica"*. Programa de Política Criminal en America Latina. Universidad Francisco Gavidia. Seminario Itinerante. El Salvador. Abril. 2003.

- Participante del Curso *"Enseñar Aprendiendo"*. Método de Aprendizaje PBL. Auspiciado por Escuela de Capacitación Judicial. Consejo Nacional de la Judicatura. El Salvador. Marzo. 2003.

- Participante del Seminario-Taller *"Técnicas Didácticas para Capacitadores"*. Escuela de Capacitación Judicial. Consejo Nacional de la Judicatura. El Salvador. Marzo. 2003

- Participante del Coloquio "*Control de Interrogatorios y Objeciones*". Auspiciado por Proyecto para el Apoyo del Sistema de Justicia PAS/DPK Consulting. El Salvador. Febrero. 2003.

- Participante del Curso *"Delitos Relativos a la Criminalidad Organizada y Derecho Penal"* Auspiciado por Escuela de Capacitación Judicial. Consejo Nacional de la Judicatura. El Salvador. Enero 2003.

- Participante del Taller "*Tendencias del Derecho Penal Moderno y Delitos no Convencionales*". Auspiciado por Escuela de Capacitación Judicial. Consejo Nacional de la Judicatura para Capacitadores del Area Penal. El Salvador. Septiembre. 2002.

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- Participante del Curso sobre *"Guía Didáctica para la Elaboración de Módulos Instruccionales"*. Auspiciado por la Escuela de Capacitación de Judicial. Consejo Nacional de la Judicatura. Enero 2002.

- Participante de la "Mesa Redonda Nacional". *"Eficacia en la Represión Penal en los Casos de Narcotráfico y Lavado de Activos.* Auspiciado por La Comisión Salvadoreña Antidrogas. El Salvador. Octubre 2001.

- Participante del Seminario sobre "*El Derecho de Propiedad Intelectual y su Observancia para Jueces y Fiscales*". Auspiciado por el Centro Nacional de Registros, la Organización Mundial de la Propiedad Intelectual y la Secretaría de Integración Económica Centroamericana. Agosto. 2001.

- Participante de la *XIV Jornadas Costarricenses de Medicina Legal*. Puntarenas. Costa Rica. Agosto de 2000.

- Participante del Curso *"Tríptico de Derecho Penal y Derecho Procesal Penal"*. Auspiciado por la Asociación de Ciencias Penales de Costa Rica. Heredia. Costa Rica. Abril de 2000.

- Participante y Relator en el Primer Taller de Consulta de Jueces y Magistrados sobre el *"Proyecto de modernización del Organo Judicial y el Consejo Nacional de la Judicatura"*. Auspiciado por la Corte Suprema de Justicia, Consejo Nacional de la Judicatura y Banco Mundial. 2000.

- Participante del Curso de Capacitación *"Temas Actuales de Derecho Penal"*. Impartido en la Escuela de Capacitación Judicial. Consejo Nacional de la judicatura. 1999.

- Participante de la VI Conferencia Iberoamericana sobre la Reforma Judicial "Seguridad Jurídica y Desarrollo Económico". 1999.

- Participante del Seminario Internacional sobre Investigación Policial del Blanqueo de Capitales para Fuerzas Policiales de Latinoamérica. 1999.

- Participante del Curso de Derecho Penal para Capacitadores. Auspiciado por la Escuela de Capacitación Judicial. Consejo Nacional de la Judicatura. 1998.

- Participante del Curso de Teoría del Delito. Auspiciado por la Escuela de Capacitación Judicial. Consejo Nacional de la Judicatura. 1998.

- Participante del Curso "Windows 95 - Microsoft Word". Auspiciado por la Corte Suprema de Justicia. 1998.

- Participante del Curso sobre Técnicas de Audiovisuales para Técnicas de Capacitación. Auspiciado por Consejo Nacional de la Judicatura. Escuela de Capacitación Judicial. 1998.

- Participante del Curso sobre Medicina Legal y Toxicología. Impartido por la Escuela de Capacitación Judicial. 1998.

- Participante del Seminario de Justicia Militar, Intermediate Trial, Advocacy Training. Auspiciado Por El Instituto de Estudios Legales Internacionales de la Defensa de los Estados Unidos de América. 1998.

- Participante del Curso de Capacitación a Capacitadores en Derecho Procesal Penal. Escuela de Capacitación Judicial. 1997.

- Participante del Curso Básico de Investigación de Secuestros y Extorsiones. Auspiciado por el Departamento de Justicia de los Estados Unidos de América a través de ICITAP. 1996.

- Participante del Curso Básico de Investigación de Homicidios. Auspiciado por el Departamento de Justicia de los Estados Unidos de América a través de ICITAP.1996.

- Participante del Curso Básico de Especialista en la Escena del Delito. Auspiciado por el Departamento de los Estados Unidos de América, a través de ICITAP. 1996.

- Participante del Taller "Enseñanzas de la Prevención de la Tortura y Tratos Inhumanos Crueles y Degradantes". En las carreras universitarias de derecho, medicina, trabajo social y psicología. Auspiciado por el Instituto Interamericano de Derechos Humanos. 1996.

- Participante y Relator en los Talleres sobre los Perfiles Ocupacionales y Educación del Juez de Paz y del Juez de Primera Instancia. Auspiciado por el Órgano Judicial. 1996.

- Participante del Curso sobre Derechos Humanos ciclos I, II, III, IV. Auspiciado por el Programa de Naciones Unidas para el Desarrollo (PNUD). 1996.

- Participante del Curso de Etica Judicial. Escuela de Capacitación Judicial. 1995.

- Participante del Seminario sobre la Ley del Medio Ambiente. Auspiciado por la Asamblea Legislativa. 1995.

- Participante del Curso sobre Justicia y Género. Escuela de Capacitación Judicial 1995.

- Participante del Curso sobre Aplicación de las Normas Internacionales de Derechos Humanos. Auspiciado por ONUSAL.1995.

- Participante del Seminario sobre Medidas Político-Criminales contra el Crimen Organizado. Auspiciado por ONUSAL.1994.

- Participante del Curso sobre Derecho Procesal Penal. Escuela de Capacitación Judicial. 1994.

- Participante del Curso de Teoría del Delito y Derecho Penal, Parte Especial. Escuela de Capacitación Judicial.1994.

- Participante del Curso de Derecho Penal, módulos I, II, III y IV. Impartido en la Escuela de Capacitación Judicial. 1994-1995.

- Participante del Curso de Educación Continua Diferenciado para Jueces de Paz sobre el Proyecto del Código Procesal Penal. Escuela de Capacitación Judicial. 1994-1995.

- Asistente por el Órgano Judicial a la I, II, III, IV y V "Conferencia Iberoamericana sobre Reforma y Justicia Penal".1992-1994.

## FUNCIONES JUDICIALES

- Segundo Magictrado Propietario de la Cámara Primero de lo Penal de la Primera Sección del Centro. 2010.

- Magistrado Suplente de la Cámara de la Cuarta Sección del Centro. Santa Tecla. Diciembre 2004 a 2010.

- Juez del Tribunal Tercero de Sentencia de San Salvador, abril 1,998 a Julio 2010.

- Juez Cuarto de lo Penal de San Salvador, 1,997 hasta abril 1,998.

- Juez Primero de lo Penal de Sonsonate. 1,996 - 1,997.

- Juez Décimo Primero de Paz de San Salvador. 1,994 - 1,996.

- Secretario de la Cámara Segunda de lo Penal de la Primera Sección del Centro, 1,992 - 1,994.

- Colaborador Judicial de la Cámara Segunda de lo Penal de la Primera Sección del Centro. 1,991 - 1,992.

## EXPERIENCIA DOCENTE

- Profesor de Derecho Penal de la Empresa en la Maestría "Derecho de Empresa". Universidad Centroamericana "José Simeón Cañas" (UCA). Mayo-Junio. 2011.
- Tutor para investigación de trabajo de graduación de la Maestría en Administración de Justicia. Universidad Nacional de Costa Rica. Programa de Maestrías. 2009.
- Profesor de Política Criminal en la Maestría "Derecho Penal Constitucional". Universidad Centroamericana "José Simeón Cañas" (UCA). Diciembre. 2009.
- Profesor de Derecho Procesal Penal en la Maestría "Derecho Penal Constitucional". Universidad Centroamericana "José Simeón Cañas" (UCA). Abril. 2009.
- Docente para el Programa "Mejorando El sistema de justicia en El Salvador". Comité de Formación en el Proceso de Inducción Técnico Jurídico para la Implementación del Nuevo Código Procesal Penal. Auspiciado por USAID del Pueblo de los Estados Unidos de América y la Unidad Técnica Ejecutiva del Sector de Justicia. Junio. 2009.
- Integrante de los Jurados Calificadores de Tesis en la Maestría "Derecho Penal Constitucional". Universidad Centroamericana "José Simeón Cañas" (UCA). 2008.
- Profesor de Consecuencias Jurídicas del Delito en la Maestría "Derecho Penal Constitucional". Universidad Centroamericana "José Simeón Cañas" (UCA). 2008.
- Profesor de Derecho Penal Constitucional en la Maestría "Derecho Penal Constitucional". Universidad Centroamericana "José Simeón Cañas" (UCA). 2008.
- Profesor de Derecho Penal y Derecho Procesal Penal en la Maestría de Ciencias Forenses de la Universidad Salvadoreña "Alberto Masferrer". 2007.
- Profesor de Postgrado en el área de Diplomado de Estudios Superiores en Ciencias Penales de la Universidad Centroamericana "José Simeón Cañas". (UCA) 2007.

- Tutor para el Programa de Formación Inicial para Jueces Tercera Promoción. En la Etapa de Tutorías Judiciales. Escuela de Capacitación Judicial. Consejo Nacional de la Judicatura. 2005.

- Capacitador de Derecho Penal Parte Especial I. Programa de Formación Inicial de Jueces. Escuela de Capacitación Judicial. Consejo Nacional de la Judicatura. Tercera Promoción 2006-2007.

- Capacitador de Límites Constitucionales al Derecho Penal. Programa de Formación Inicial de Jueces. Escuela de Capacitación Judicial. Consejo Nacional de la Judicatura. Tercera Promoción 2006-2007.

- Profesor de Postgrado en el área de Diplomado de Estudios Superiores en Ciencias Penales de la Universidad Centroamericana "José Simeón Cañas". 2006.

- Tutor para el Programa de Formación Inicial para Jueces Segunda Promoción. En la Etapa de Tutorías Judiciales. Escuela de Capacitación Judicial. Consejo Nacional de la Judicatura. 2005.

- Profesor de Derecho Procesal Penal de la Universidad Centroamericana "José Simeón Cañas (UCA) Periodo 2004.

- Capacitador de Límites Constitucionales al Derecho Penal. Programa de Formación Inicial de Jueces. Escuela de Capacitación Judicial. Consejo Nacional de la Judicatura. Segunda Promoción 2004-2005.

- Tutor para el Programa de Formación Inicial para Jueces Primera Promoción. En la Etapa de Tutorías Judiciales. Escuela de Capacitación Judicial. Consejo Nacional de la Judicatura. 2003.

- Docente de la Escuela de Capacitación Judicial en los Cursos Introductorios de Victimología. 2003.

- Capacitador de Fundamentos de Derecho Penal y Teoría Jurídica del Delito del Programa de Formación Inicial de Jueces. Escuela de Capacitación Judicial. Consejo Nacional de la Judicatura. 2001-2002.

- Docente de la Escuela de Capacitación Judicial de El Salvador en Derecho Penal, Derecho Procesal Penal y Técnicas de Interrogatorio en el Juicio Oral. 1999 a la fecha.

- Capacitador en el área de Derecho Penal y Procesal Penal en el Programa de Actualización y Capacitación Jurídica (PAC) auspiciado por La Fundación de Estudios Para la Aplicación del Derecho (FESPAD). 1999 a la fecha.

- Profesor de Derecho Penal de la Universidad Centroamericana "José Simeón Cañas" (UCA). 1999.

- Capacitador de la Escuela de Capacitación Judicial de El Salvador, en el proyecto de implantación de los Códigos Penal y Procesal Penal. Capacitador en el área de

**Fiscales, Defensores Públicos, Abogados, Jueces y Magistrados de Cámaras de Segunda Instancia. 1997-1998.**

## PARTICIPACIONES y CONFERENCIAS.

- **Expositor en la Mesa Redonda de Institucionalidad Democrática: "Administración de Justicia". Auspiciado por Fundación Salvadoreña para el Desarrollo Económico y Social (FUSADES). San Salvador. El Salvador. 2011.**
- **Conferencista en "Jornadas Internacionales de Derecho Penal" con el tema "Legítima Defensa". Auspiciado por Corte Suprema de Justicia de Costa Rica. Universidad de Costa Rica. San José. Costa Rica. Marzo 2011.**
- **Invitado al 41 Periodo Ordinario de Sesiones de la Asamblea General de la Organización de Estados Americanos (OEA) "Seguridad Ciudadana en las Américas. San Salvador. Junio. 2011.**
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- "Enfoque Socio-jurídico y Filosófico del Código Penal. Una Perspectiva Comparativa desde la Dogmática Penal. Una Aproximación al Código Penal de 1998". Presentación escrita en el Seminario *"Perspectivas de la Ejecución de los Nuevos Códigos Penal y Procesal Penal"*. Auspiciado por el Programa administración de Justicia en Centroamérica y Panamá. Universidad Nacional de Costa Rica y Corte Suprema de Justicia de Costa Rica y El Salvador. El Salvador. 1998.

## PUBLICACIONES.

- "Pena, Castigo y prevención en la Sociedad Actual". Revista Digital de la Maestría en Ciencias Penales. Universidad de Costa Rica. San José. Costa Rica. 2010.

- "La regla de exclusión de prueba ilícita y la excepción de buena fe" en "Política Criminal en el Estado Social de Derecho". Libro Homenaje a Enrique Castillo Barrantes. Compiladores. Javier LLobet Rodríguez. Douglas Durán Chavarría. Editorial Jurídica Continental. Sistema de Estudios de Postgrado. Universidad Estatal a Distancia. San José Costa Rica. 2010.

- *"Reflexiones sobre la Reforma Penal en El Salvador"* en Ventana Jurídica. N° 8. Año IV-Vol. 2. Julio-Diciembre. 2008. Agencia Española de Cooperación Internacional. Proyecto de Reducción y Control de la Impunidad. Fase III. (AECID-UTE-CNJ). El Salvador. 2010.

- *"Crimen y Castigo". De la pena privativa de libertad a las alternativas de la pena* en Ventana Jurídica. N° 8. Año IV-Vol. 2. Julio-Diciembre. 2008. Agencia Española de Cooperación Internacional. Proyecto de Reducción y Control de la Impunidad. Fase III. (AECID-UTE-CNJ). El Salvador. 2010.

- *"Reflexiones sobre el Nuevo Proceso Penal"* (en coautoría) Consejo Nacional de la Judicatura. Escuela de Capacitación Judicial. San Salvador. El Salvador. 2009.

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- *"Derecho Penal Económico"* (en coautoría) Consejo Nacional de la Judicatura. Secretaría Técnica de la Presidencia de la República. San Salvador. El Salvador. 2009.

- *"Aspectos de imputación subjetiva en el delito de lavado de dinero. Algunas cuestiones problemáticas de la teoría del delito en la legitimación de capitales"*. De Legibus. N° 3. Revista de Ciencias Jurídicas. Universidad Centroamericana "José Simeón Cañas". Julio-Diciembre. 2008. San Salvador. El Salvador. 2008.

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- *"Los Aspectos Criminológicos de la Victimización. La victima en el proceso penal"* en Actualidad. Revista Jurídica. Año 6 Número 1. Comisión Coordinadora del Sector de Justicia. San Salvador. El Salvador. 2006.

- *"Límites del Derecho Penal Juvenil y política penal del Estado. Una visión del actual estado de cosas desde una perspectiva del Derecho Penal Liberal"* en Homenaje a los Diez años de vigencia de la Ley Penal Juvenil. Comisión Coordinadora del Sector de Justicia. 1° edición. San Salvador. El Salvador. 2005.

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- "Rol del Juez de Paz en el Nuevo Proceso Penal y Generalidades del Juez de Instrucción y de los Tribunales de Sentencia". Publicado en "*Ensayos Doctrinarios. Nuevo Código Procesal Penal*" ARSJ-UTE 1° edición. San Salvador. El Salvador, 1998.

## CONSULTORÍAS Y DISTINCIONES

- Medalla al Mérito Judicial Otorgada por la Asociación de Magistrados y Jueces de El Salvador. El Salvador. Diciembre. 2010.
- Integrante de la Comisión Ad-Hoc para el Estudio y Dictamen del Instituto de Ciencias Forenses y la Ley Orgánica del Instituto de Medicina Forense, Asamblea Legislativa de la República de El Salvador. Octubre. 2010.
- Becario del Curso Internacional de Capacitación en Reformas al Sistema de Justicia Penal en América Latina. Auspiciado por Instituto para Asia y el Lejano Oriente de las Naciones Unidas para la Prevención del Delito y Tratamiento del Delincuente. Agencia de Cooperación Internacional de Japón. Instituto Latinoamericano de las Naciones Unidas para la Prevención del Delito y Tratamiento del Delincuente. Heredia. Costa Rica. Agosto. 2010.
- Consultor Nacional para "Análisis de Propuestas de Reformas al Código Penal". Unidad Técnica Ejecutiva del Sector Justicia. Mayo. 2010.
- Integrante del Consejo Consultivo Internacional de la Revista Electrónica de la Maestría en Ciencias Penales de la Universidad de Costa Rica. 2009.
- Consultor para la Unidad Técnica Ejecutiva del Sector de Justicia para la elaboración del Anteproyecto de Ley Especial para la Intervención de las Telecomunicaciones. 2009.
- Consultor para la Agencia Española de Cooperación Internacional para el Desarrollo en el Proyecto de control y reducción de la impunidad en los delitos violentos contra la vida y la integridad física de hombres y mujeres. Tercera Fase. En el Modulo de capacitación "Especialización sobre Homicidio y Lesiones. Dirigido a Funcionarios Judiciales. Defensores Públicos y Colaboradores Jurídicos de la Sala de lo Penal de la Corte Suprema de Justicia. El Salvador. Mayo. 2009.
- Consultor de UNICEF en formación especializada "Psicólogos Forenses Especialistas en el Interrogatorio/entrevista de la Niñez Victima de Delito y Testigos". El Salvador Junio 2009.
- Reconocimiento a la Excelencia en el Despacho Judicial. Consejo Nacional de la Judicatura. Diciembre. 2008.

- Consultor para la Agencia Española de Cooperación Internacional para el Desarrollo en el Proyecto de control y reducción de la impunidad en los delitos violentos contra la vida y la integridad física de hombres y mujeres. Tercera Fase. En el Modulo de capacitación Los Delitos de Homicidio y Lesiones. Dirigido a Fiscalía General de la República. Procuraduría General de la República. Academia Nacional de Seguridad Pública y Policía Nacional Civil. 2008.

- Redactor del Proyecto de Código Procesal Penal de la República de El Salvador. 2008.

- Designado por la Comisión AD-HOC de la Asamblea Legislativa de la República de El Salvador como integrante de la Comisión para la Revisión del Proyecto de Ley del Código Procesal Penal. 2008.

- Designado por la Comisión Coordinadora del Sector de Justicia como Jurado del Comité calificador del III Certamen de Investigación Jurídica auspiciado por la Unidad Técnica Ejecutiva del Sector de Justicia. Julio. 2008.

- Primer Lugar por haber obtenido los más altos valores en el proceso de evaluación a la Transparencia y Excelencia Judicial en El Salvador. Auspiciado por la Fundación para el Desarrollo de las Ciencias Sociales (FUDECSO) Proyecto Pro Transparencia y Excelencia Judicial en El Salvador (PROTEJES) HIVOS de Holanda y la Foundation KW Kellogg. Abril. 2008.

- Consultor del Fondo de Población de las Naciones Unidas para la elaboración de la consultoría en Derecho Reproductivos y Delitos contra la Libertad Sexual". 2007.

- Certificado al esfuerzo, dedicación y excelente rendimiento académico en la Maestría en Administración de Justicia Enfoque Socio-Jurídico con énfasis en Administración de Justicia Penal. Universidad Nacional de Costa Rica. 2007.

- Consultor Nacional para la elaboración de la consultoría "Revisión Integral del Código Penal". El Salvador. Unidad Técnica Ejecutiva del Sector Justicia. Agosto 2006-2007

- Consultor y Experto Nacional en el Programa de Cooperación Técnica para la Capacitación y Formación en Prevención y Control del Lavado de Activos. Programa para el Fortalecimiento de la Supervisión Bancaria en Centroamérica. Banco Centroamericano de Integración Económica (BCIE). Federación Latinoamericana de Bancos (FELABAN) y Asociación de Bancos de El Salvador (ABANSA).

- Consultor en Derecho Penal Económico en el Programa de Especialización en Derecho del Mercado Financiero. Secretaría Técnica de la Presidencia de la República de El Salvador. Banco Interamericano de Desarrollo (BID). El Salvador. 2006.

- Experto Nacional en el "Programa de Entrenamiento contra el Lavado de Activos para Jueces y Fiscales". Auspiciado por la Comisión Interamericana para el Control del Abuso de Drogas (CICAD) de la Organización de los Estados Americanos

(OEA), el Banco Interamericano de Desarrollo (BID) y la Comisión Salvadoreña Antidrogas (CNA). San Salvador. El Salvador. Septiembre 2005.

- Consultor para el proyecto de Justicia USAID/ El Salvador NCSC/DPK Consulting para ejecutar consultoría del área penal en el tema "Determinación Judicial de la Pena". Mayo. El Salvador. 2005.

- Consultor Nacional para la elaboración de la consultoría "Revisión Integral del Código Procesal Penal". Unidad Técnica Ejecutiva del Sector Justicia. El Salvador. Febrero 2005.

- Becario del Programa de Administración de Justicia y Gobernación de la Ley, del Departamento de Estado de los Estados Unidos de Norte América. Septiembre-Octubre 2004.

- Graduación con Honores al Estudiante Distinguido por el Mejor Promedio en la Carrera de Administración de Justicia Penal. Universidad Nacional de Costa Rica. 30 de Agosto de 2001.

- Certificado al Esfuerzo, Dedicación y Excelente Rendimiento Académico en la Especialidad de Administración de Justicia Penal. Programa en Administración de Justicia en Centroamérica, Panamá y el Caribe. Enfoque Socio-jurídico. 30 de Agosto 2001.

- Delegado de la República de El Salvador por el Consejo Nacional de la Judicatura y la Corte Suprema de Justicia para la Reunión Regional Preparatoria de América Latina y El Caribe para el Décimo Congreso de las Naciones Unidas sobre Prevención del Delito y Tratamiento del Delincuente. Celebrado en San José Costa Rica. Febrero de 1999.

- Consultor Nacional contratado por Associates in Rural Devolpmet Inc. (ARD) para participar en la elaboración del "Diagnóstico de Necesidades en Materia de Formación de Derecho Procesal Penal, para Jueces, Fiscales, Defensores, Abogados y Profesores Universitarios en la República de El Salvador. Auspiciado por el programa de Apoyo a la Reforma de la Justicia y la Unidad Técnica Ejecutiva. Julio 1999.

- Integrante de la Delegación de El Salvador en el Seminario "la Investigación Preliminar. El papel del Fiscal, el Juez y la Policía". Auspiciado por la Unión Europea, el Centro de Estudios y Capacitación Judicial Centroamericano y la Escuela de la Magistratura de Francia. Evento celebrado en ciudad de Guatemala, Guatemala. Diciembre de 1995.

## WOLFGANG SCHOMBURG
*Curriculum Vitae*

Born in Berlin-Spandau on 9 April 1948, married, two adult children

### I Professional career

| | |
|---|---|
| 1966-1971 | Studied at Freie Universität Berlin |
| 1971 | First State Law Examination (with distinction) |
| 1973 | London School of Economics: Summer Course in Legal Language |
| 1974 | Second State Law Examination (with distinction) |
| 1974-1979 | Public Prosecutor in Berlin (West) |
| 1979-1981 | Seconded to the German Federal Prosecutor |
| 1981-1983 | Seconded to the German Parliament (Bundestag), Bonn<br>Research assistant (Criminal Law and Law of Criminal Procedure) |
| 1983-1984 | Seconded again to the German Federal Prosecutor |
| 1984-1986 | Judge (Criminal Matters) at the Berlin Regional Court |
| 1986-1989 | Senior Public Prosecutor in Berlin (West) |
| 1989-1991 | Undersecretary of State at the Senate Justice Department, Berlin |
| 1991-1995 | Lawyer in Berlin, assisting clients (victims and suspects) in International Criminal Matters (e.g. in France, Mauritius, The Netherlands, United States of America and United Kingdom) |
| 1995-2000 | Federal Judge at the German Federal High Court, Karlsruhe, Third and First Chamber in Criminal Matters and Investigating Judge |
| 2001 | Elected Permanent Judge for the (UN) International Tribunal for the former Yugoslavia (ICTY) by UN General Assembly |
| 2001-2008 | Permanent Judge at the (UN) International Tribunal for the former Yugoslavia (ICTY), The Hague, The Netherlands; elected Presiding Judge of Trial Chamber II until 2003*) |
| 2004 | Re-elected Permanent Judge for the (UN) International Tribunal for the former Yugoslavia (ICTY) by UN General Assembly |
| 2003-2008 | Permanent Judge of the Appeals Chamber of ICTY and *ex officio* appointed Permanent Judge of the Appeals Chamber of the International Tribunal for Rwanda (ICTR), Arusha, Tanzania)*) |
| 17 November 2008 | Retired for cogent health reasons |
| Since Fall 2009 | After full recovery, Lawyer, Mediator and Advisor in International Criminal Law as Of-Counsel at FPS Law, Berlin |

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*) Summary of activities attached (Annex)

## II Honors, Decorations

| | |
|---|---|
| November 2008 | German Great Cross of Merits (Großes Verdienstkreuz der Bundesrepublik Deutschland) |
| March 2009 | Honorary Professor at Durham University, UK |

## III Ancillary activities

| | |
|---|---|
| Since 1991 | Examiner for the Berlin Law Examinations Board (Chairman since 1995) |
| 1993-1997 | Senior Lecturer at the Faculty of Law at Freie Universität Berlin |
| Since 1993 | Lecturer at the German Judges Academy, the German Police Academy and case by case the European Law Academy (Paris, Brussels, Helsinki, Copenhagen, Trier) |
| Since 1993 | Lecturer/Expert in seminars or meetings for training in International Criminal Law on behalf of *inter alia* UN, the Council of Europe, the European Union (e.g. establishing Eurojust), OSCE, and ABA-CEELI – in particular on missions in the Baltic States, Georgia, Moldova, Bosnia and Herzegovina, France, Croatia, Russia and Ukraine as well as<br>Guest Lecturer in Institutes of the UN such as UNAFEI (Tokyo), I.S.I.C.I.S. (Siracusa, Italy), UNICRI (Torino) and at various Universities/Law Schools, *inter alia* in Amman, Beijing, Berlin, Boston, Budapest, Bucharest, Brussels, Charkow, Chicago, Chisinau, Darmstadt, Dublin, Dubrovnik, Durham, Frankfurt, Freiburg, Geneva, Göttingen, Hannover, Harvard, Helsinki, Innsbruck, Istanbul, Jerusalem, Kiel, Kiev, Kuwait, Leiden, Lvov, Lisbon, Ludwigsburg, Luxemburg, Montpellier, Moscow, Newcastle, Nuremberg, Munster, Munich, Odessa, Paris, Prijedor, Pristina, Riga, Rio de Janeiro, Roma, Santiago de Compostela, San Remo, Sarajevo, Siracusa (Italy), Split, Strasbourg, Tel Aviv, The Hague, Tbilisi, Tokyo, Torino (University and UNICRI), Utrecht, Verona, Vienna, Zagreb |
| Since 2009 | Chair of the Centre for Criminal Law and Criminal Justice, Durham Law School, UK |
| Since 2010 | Lecturer at Centre international de formation européenne (CIFE), Paris, Nice, Berlin |
| Since 2010 | Appointed Member of Selections Panels for Judges (International Criminal Tribunal), UN Office of Legal Affairs (OLA), New York |
| Since 2011 | Scientific Member of the Permanent Project Committee of the European Judicial Training Network (EJTN), Brussels (Lecturer of EJTN since 2010) |

## IV Professional associations

**Member** of the **International** Association of **Penal** Law/**Association Internationale de Droit Pénal** (AIDP), in particular: rapporteur at conferences held in Freiburg, Helsinki, Rio de Janeiro, Utrecht, Berlin and Beijing

**Member of the Board of Directors of**

- AIDP
- Max Planck Institute for Foreign and International Criminal Law, Freiburg im Breisgau, Germany
- European Law Academy (ERA), Trier, Germany
- German Society for the United Nations

**Membership** in various domestic criminal law and human rights associations

## V Publications

More than 130 publications, primarily in Criminal Matters, in particular:

- Since 1983: Editor and co-author of the **Commentary on International Cooperation in Criminal** Matters (currently: 4th ed., Munich 2006, 2500 pages), 5th **edition, 2011**, delivery due December 2011

Most recently published:

- "Der Europarat": Europäisches Strafrecht, Baden-Baden, June 2011
- Some reflections on the right to self-representation, ERA Forum, Trier, May 2011
- Sur le rôle des procédures: Peine de la Guerre, Paris, 2010
- The Jurisprudence on Joint Criminal Enterprise III, (Austrian) Journal für Strafrecht, Wien, 2010
- Human Rights before International Tribunals, Hvratski Ljetopis za Kazneno Pravo I Praksu, Zagreb, 2010
- Common Law v. Civil Law, Betrifft Justiz, Berlin, 2009
- The role of International Tribunals in Promoting Human Rights, JIHR, North Western University, Chicago, 2009
- Wahrheitsfindung im Gerichtssaal, Vereinte Nationen, Baden-Baden, 20
- Human Rights in Proceedings before the International Criminal Tribunals in: Protecting Humanity, Essays in International Law and Policy in Honour of Navanethem Pillay, Leiden,Boston, 2009

**Wolfgang Schomburg**

Berlin, September 2011

**Attachment**: Annex: Summary of activities at ICTY and ICTR 2001-2008

**Annex to CV Wolfgang Schomburg, Berlin, Germany**

**Summary of Activities at ICTY and ICTR 2001-2008**

**A. Trial Chamber II (elected Presiding Judge as of 23 November 2001)**

1. Judgements of First Instance

***Presiding***

| | | |
|---|---|---|
| Prosecutor v. Miroslav Deronjić[1] | Sentencing Judgement | 30 March 2004 |
| Prosecutor v. Dragan Nikolić | Sentencing Judgement | 18 December 2003 |
| **Prosecutor v. Milomir Stakić** | **Judgement** | **31 July 2003** |
| **Prosecutor v. Milomir Stakić** | **Decision on Rule 98*bis* Motion for Judgment on Acquittal** | **31 October 2002** |

2. Other Cases Presiding/Pre-Trial Judge

Prosecutor v. Vidoje Blagojević *et al.*

Prosecutor v. Janko Bobetko

Prosecutor v. Radoslav Brđanin and Momir Talić

Prosecutor v. Enver Hadžihasanović *et al.*

Prosecutor v. Darko Mrđa

Prosecutor v. Mile Mrkšić *et al.*

Prosecutor v. Mitar Rašević

3. Confirming Judge (Rule 47)

Prosecutor v. Ljubiša Beara

Prosecutor v. Ljubomir Borovčanin

Prosecutor v. Momir Nikolić

4. Initial Appearances (Rule 62)

Darko Mrđa

Mile Mrkšić

Momir Nikolić

Radovan Stanković

**Vojislav Šešelj**

5. Selected Important Decisions

Prosecutor v. Vojislav **Šešelj – Decision on Prosecution's Motion for Order Appointing Counsel to Assist Vojislav Šešelj in his Defence** of 9 May 2003

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[1] Dissenting Opinion on Deronjić's sentence.

Prosecutor v. Enver Hadžihasanović *et al.* – **Decision on Joint Challenge to Jurisdiction [Command Responsibility pursuant to Article 7(3) of the Statute]** of 12 November 2002

Prosecutor v. Dragan Nikolić – **Decision on Defence Motion Challenging the Exercise of Jurisdiction by the Tribunal [Legality of Arrest]** of 9 October 2002

Prosecutor v. Radislav Brđanin and Momir Talić – **Decision on Defence Motion to Disqualify the Trial Chamber hearing the Radoslav Brđanin-Momir Talić Trial** of 3 May 2002.

Prosecutor v. Enver Hadžihasanović *et al.* – **Decision on Prosecution's Motion for Review of the Decision of the Registrar to Assign Mr. Rodney Dixon as Co-Counsel to the Accused Amir Kubura** of 26 March 2002

### B. Appeals Chamber (ICTY) (1 October 2003 – 17 November 2008)

### 1. Appeal Judgements

***Presiding***

| | | |
|---|---|---|
| **Prosecutor v. Baton Haxhiu** | Decision | 4 September 2008 |
| **Prosecutor v. Naser Orić**[2] | Judgement | 3 July 2008 |
| **Prosecutor v. Dario Kordić and Mario Čerkez**[3] | Judgement | 17 December 2004 |

***Member of the Bench***

| | | |
|---|---|---|
| Prosecutor v. Milan Martić[4] (Pre-Appeal Judge) | Judgement | 8 October 2008 |
| *Prosecutor v. Momčilo Krajišnik (Pre-Appeal Judge)*[5] | | |
| Prosecutor v. Pavle *Strugar*[6] | | |
| Prosecutor v. Dragan Zelenović | Judgement on Sentencing Appeal | 31 October 2007 |
| Prosecutor v. Sefer Halilović[7] | Judgement | 16 October 2007 |
| Prosecutor v. Fatmir Limaj *et al.*[8] | Judgement | 27 September 2007 |
| Prosecutor v. Miroslav Bralo | Judgement on Sentencing Appeal | 2 April 2007 |

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[2] Separate and Partially Dissenting Opinion on scope of command responsibility (Art. 7(3) of the Statute).

[3] Joint Dissenting Opinion (with Judge Güney) on cumulative convictions.

[4] Separate Opinion on joint criminal enterprise.

[5] Self-recused according to **Fundamentally Dissenting Opinion on the right to self-representation** appended to Decision on Krajišnik's **Self-Representation** of 11 May 2007.

[6] Pre-Appeal Judge until 20 September 2006 (Final Decision on "Defence Notice of Withdrawing Appeal" and "Withdrawal of Prosecution's Appeal Against the Judgement of Trial Chamber II dated 31 January 2005.") Exchange from bench per 21 February 2008 against Orić case.

[7] Separate Opinion on the applicability of Rules 42 and 43 of the Rules of Procedure and Evidence.

[8] Partially Dissenting and Separate Opinion and Declaration on the standard for appellate review, the responsibility of Haradin Bala and Isak Musliu, and the principle of in dubio pro reo.

| | | |
|---|---|---|
| Prosecutor v. Josip Jović | Judgement (Contempt) | 15 March 2007 |
| Prosecutor v. Stanislav Galić[9] | Judgement | 30 November 2006 |
| Prosecutor v. Blagoje Simić[10] | Judgement | 28 November 2006 |
| Prosecutor v. Ivica Marijačić and Markica Rebić | Judgement (Contempt) | 27 September 2006 |
| Prosecutor v. Mladen Naletilić and Vinko Martinović[11] | Judgement | 3 May 2006 |
| Prosecutor v. Miodrag Jokić | Judgement on Sentencing Appeal | 30 August 2005 |
| Prosecutor v. Milan Babić | Judgement on Sentencing Appeal | 18 July 2005 |
| Prosecutor v. Tihomir Blaškić[12] | Judgement | 29 July 2004 |
| Prosecutor v. Radislav Krstić | Judgement | 19 April 2004 |
| Prosecutor v. Mitomir Vasiljević | Judgement | 25 February 2004 |
| Prosecutor v. Milorad Krnojelac[13] | Judgement | 17 September 2003 |
| Prosecutor v. Dragoljub Kunarac *et al.* | Judgement | 12 June 2002 |

2. Appeal on Decisions by the Referral Bench (Rule 11*bis* of the Rules, ICTY)

***Presiding***

| | *Referred to:* | |
|---|---|---|
| Prosecutor v. Gojko Janković | Bosnia-Herzegovina | 15 November 2005 |

***Member of the Bench***

| | | |
|---|---|---|
| Prosecutor v. Vladimir Kovačević | Serbia | 28 March 2007 |
| Prosecutor v. Mitar Rašević and Savo Todović | Bosnia-Herzegovina | 4 September 2006 |
| Prosecutor v. Paško Ljubičić | Bosnia-Herzegovina | 4 July 2006 |
| Prosecutor v. Željko Mejakić *et al.* | Bosnia-Herzegovina | 7 April 2006 |
| Prosecutor v. Radovan Stanković | Bosnia-Herzegovina | 1 September 2005 |

3. Interlocutory Appeals

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[9] Separate and Partially Dissenting Opinion on the increase of Galić's sentence and the "crime of terrorization."

[10] Dissenting Opinion on the correct pleading of the mode of liability and joint criminal enterprise.

[11] Joint Dissenting Opinion (with Judge Güney) on cumulative convictions and Separate and Partly Dissenting Opinion on the definition of the crime of deportation.

[12] Separate Opinion on Blaškić's sentence.

[13] Separate Opinion on the definition of the crime of deportation.

***Presiding / Member of the Bench***

Prosecutor v. Ljube Boškoski and Johan Tarčulovski

Prosecutor v. Rasim Delić

Prosecutor v. Ante Gotovina and Ivan Čermak

Prosecutor v. Sefer Halilović

Prosecutor v. Ramush Haradinaj *et al.*

Prosecutor v. Gojko Janković

Prosecutor v. Josip Jović

Prosecutor v. Momčilo Krajišnik

Prosecutor v. Marijan Krizić

Prosecutor v. Fatmir Limaj *et al.*

Prosecutor v. Milan Lukić and Sredoje Lukić

Prosecutor v. Milan Martić

Prosecutor v. Željko Mejakić

Prosecutor v. Slobodan Milošević

Prosecutor v. Milan Milutinović *et al.*

Prosecutor v. Ratko Mladić

Prosecutor v. Vujadin Popović *et al.*

Prosecutor v. Jadranko Prlić *et al.*

Prosecutor v. Ivica Rajić

Prosecutor v. Mićo Stanišić

Prosecutor v. Savo Todović

Prosecutor v. Zdravko Tolimir

## 4. Selected Important Decisions

Prosecutor v. Milan Milutinović et al. - **Decision on "Prosecution's Appeal from Decision on Lazarević Motion for Temporary Provisional Release Dated 26 September 2008" (with Separate Opinion on the scope of Trial Chamber's discretion as regards the provisional release of an accused at a late stage of the proceedings)** of 23 October 2008

Prosecutor v. Milan Lukić and Sredoje Lukić - **Decision on the Prosecution's Appeal against the Trial Chamber's Order to Call Alibi Rebuttal Evidence during the Prosecution's Case in Chief** of 16 October 2008.

Prosecutor v. Jadranko Prlić et al. - **Decision on Slobodan Praljak's Appeal of the Trial Chamber's Decision on the Direct Examination of Witnesses Dated 26 June 2008** of 11 September 2008

Prosecutor v. Jadranko Prlić *et al.* – **Decision on Prosecution's Appeal Against Trial Chamber's Order on Contact Between the Accused and Counsel During an Accused's Testimony Pursuant to Rule 85(C)** of 5 September 2008

Prosecutor v. Jadranko Prlić et al. – **Reasons for Decision on Prosecution's Urgent Appeal Against "Décision relative à la demande de mise en liberté provisoire de l'accusé Pušić" Issued on 14 April 2008 (with Dissenting Opinion on the scope of a Trial Chamber's discretion as regards the provisional release of an accused)** of 23 April 2008

Prosecutor v. Jadranko Prlić *et al.* – **Decision on Appeals Against Decision Admitting Transcript Jadranko Prlić's Questioning Into Evidence** of 23 November 2007

Prosecutor v. Pavle Strugar – **Decision on Strugar's Request to Reopen Appeal Proceedings (with Dissenting Opinion on possibility of post-conviction transfer of a person to the territory of the former Yugoslavia)** of 7 June 2007

Prosecutor v. Momčilo Krajišnik – **Decision on Momčilo Krajišnik's Request to Self-Represent, on Counsel's Motion on Appointment of *Amicus Curiae*, and on the Prosecution Motion of 16 February 2007 (with Fundamentally Dissenting Opinion on the right to self-representation)** of 11 May 2007

Prosecutor v. Momčilo Krajišnik – **Decision on "Motion by Mićo Stanišić for Access to all Confidential Materials in the Krajišnik Case" (with Partially Dissenting Opinion on the applicability of Rule 69 vis-à-vis Rule 75 of the Rules)** of 21 February 2007

Prosecutor v. Momčilo Krajišnik – **Decision on Krajišnik's Appeal against the Trial Chamber's Decision Dismissing the Defense Motion for a Ruling that Judge Canivell is Unable to Continue Sitting in this Case** of 15 September 2006

Prosecutor v. Dario Kordić and Mario Čerkez – **Decision on "Mario Čerkez's Motion for Review of the Registrar's Decision in Relation to the Financial Status of the Accused" (Confidential and *ex parte*)** of 26 February 2004 on the question of indigence before the Tribunal and whether family members of an accused are liable for the costs incurred by defence counsel.

### C. Appeals Chamber (ICTR) (1 October 2003 – 17 November 2008)

1. Appeal Judgements

| | | |
|---|---|---|
| ***Presiding*** | | |
| Emmanuel Ndindabahizi v. The Prosecutor | Judgement | 16 January 2007 |
| ***Member of the Bench*** | | |
| *The Prosecutor v. Siméon Nchamihigo*[14] | | |
| *François Karera v. The Prosecutor*[15] | | |
| Tharcisse Muvunyi v. The Prosecutor | Judgement | 29 August 2008 |
| The Prosecutor v. Athanase Seromba | Judgement | 12 March 2008 |
| Aloys Simba v. The Prosecutor[16] | Judgement | 27 November 2007 |
| Mikaeli Muhimana v. The Prosecutor[17] | Judgement | 21 May 2007 |

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[14] Replaced in November 2008.

[15] Replaced on 19 June 2008.

[16] Partially Dissenting Opinion on Simba's sentence.

| | | |
|---|---|---|
| Sylvestre Gacumbitsi v. The Prosecutor[18] | Judgement | 7 July 2006 |
| Jean de Dieu Kamuhanda v. The Prosecutor[19] | Judgement | 19 September 2005 |
| The Prosecutor v. André Ntagerura *et al.*[20] | Judgement | 7 July 2006 |
| Juvénal Kajelijeli v. The Prosecutor | Judgement | 23 May 2005 |
| Laurent Semanza v. The Prosecutor | Judgement | 20 May 2005 |
| The Prosecutor v. Elizaphan Ntakirutimana and Gérard Ntakirutimana | Judgement | 13 December 2004 |
| Eliézer Niyitegeka v. The Prosecutor | Judgement | 9 July 2004 |

2. Appeal on Decisions by the Referral Bench ICTR

***Member of the Bench***

| | | |
|---|---|---|
| The Prosecutor v. Michel Bagaragaza | Referral Denied | 30 August 2006 |

3. Interlocutory Appeals

***Presiding / Member of the Bench***

The Prosecutor v. Théoneste Bagosora et al.

The Prosecutor v. Augustin Bizimungu *et al.*

The Prosecutor v. Édouard Karemera et al.

The Prosecutor v. Tharcisse Muvunyi

The Prosecutor v. Pauline Nyiramasuhuko *et al.*

The Prosecutor v. Hormidas Nsengimana

The Prosecutor v. Eliézer Niyitegeka

The Prosecutor v. Joseph Nzabirinda

The Prosecutor v. Émmanuel Rukundo

The Prosecutor v. André Rwamakuba

The Prosecutor v. Aloys Simba

4. Selected Important Decisions

The Prosecutor v. André Rwamakuba – **Decision on Appeal Against Decision on Appropriate Remedy** of 13 September 2007

The Prosecutor v. Michel Bagaragaza – **Decision on Rule 11*bis* Appeal** of 30 August 2006.

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[17] Joint Partly Dissenting Opinion (with Judge Shahabuddeen) on the rape of two girls by the Appellant, and Partly Dissenting Opinion on the right to be informed.
[18] Separate Opinion on Gacumbitsi's responsibility for committing genocide (pleading of the indictment, "committing").
[19] Separate Opinion on aiding and abetting and cumulative convictions.
[20] Dissenting Opinion on the indictment and the principle of nullum crimen sine lege.

# CURRICULUM VITAE

## William Hussein SEKULE

### PERSONAL PARTICULARS:

**Address** : P.O. Box 6016
Arusha
Tanzania
**Email** : sekule@un.org
Contact # +255-784-400762, +255-715-579690
**Date of birth** : 1 June 1944

**Nationality** : Tanzanian

**Marital status:** Married

### EDUCATION

- Bachelor of Law Degree (LL.B.) University of East Africa, 1970
- Short course on Management for Top Executives, Institute of Development Management, Mzumbe, United Republic of Tanzania, 1986.

### PROFESSIONAL EXPERIENCE

- State Attorney, Senior State Attorney, Principal State Attorney in the Attorney General's Chambers, United Republic of Tanzania, 1970-1979.

- Director of Public Prosecutions in the United Republic of Tanzania, October 1979 – April 1987.

- Judge, High Court of Tanzania, April 1987 – June 2004

- First elected as Judge of the International Criminal Tribunal for Rwanda in May 1995 and has continued to be a Judge of the Tribunal since then as indicated below:

- May 1995 – May 1999: Judge of the International Criminal Tribunal for Rwanda (ICTR) and Presiding Judge of Trial Chamber II.

- May 1999 to present (2011): Judge of the International Criminal Tribunal for Rwanda (ICTR) and from June 2001, Presiding Judge of Trial Chamber II up to the present.

## MEMBERSHIP

- Member of the Board of the Faculty of Law, University of Dar es Salaam 1978 – 1987.
- Member of the Police and Prison Service Commission, 1978 – 1987.

## ATTENDANCE AND PARTICIPATION IN MEETINGS AND SEMINARS

- Sixth and Seventh United Nations congresses on the Prevention of Crime and the Treatment of Offenders (Caracas, 1980; Milan, 1985).
- Head of the delegation of the United Republic of Tanzania to the preparatory meeting for the Africa region for the Seventh United Nations Congress on the Prevention of crime and treatment of Offenders, Addis Ababa, 1983. Elected one of the two Vice-Chairmen of the meeting.
- Deputy head of the delegation of the United Republic of Tanzania to the third-ninth (1983) and fortieth (1984) sessions of the Commission on Human Rights, Geneva.
- Five-week visit to United States of America, under the auspices of Crossroads Africa, 1984, to gain familiarity with its judicial institutions.
- June 1995 to 2011 – attended and participated in a number of plenary meetings dealing with the adoption and amendments of the Rule of Procedure and matters relating to the functioning of the Chambers and the Tribunal as a whole.
- Attended and continue to attend Educational Seminars under the Scheme of Continuous Education at the Tribunal dealing with various legal issues and practices relevant to the judicial work of the Tribunal.

## INTERNATIONAL MEETINGS ATTENDED

- 20 to 22 October 1997 – attended a Seminar on International Humanitarian Law at Arusha organized by the International Federation of Red Cross and Red Crescent Societies for judges and legal officers of the Tribunal.
- 5 to 6 December 1997 – represented the Tribunal together with two other officials at a seminar on the subject of co-operation with the Tribunal organised at Dar es Salaam by Parliamentarians for Global Action and attended by a number of members of Parliament from the National Assembly of the United Republic of Tanzania as well as government officials. We gave the participants an updated account of the work of the Tribunal and explained the role of Member States in assisting the Tribunal in its work, especially in the area of urgently putting in

place legislations in respective national laws to facilitate the transfer of arrested suspects and accused persons to the seat of the Tribunal.

- September to October 2000 – attended a joint seminar of the ICTR and ICTY judges in London to discuss common issues relating to discharge of Judicial work.
- October 2001 – attended a joint seminar of the ICTR and ICTY judges again in Dublin Ireland. It was a follow up to the issues discussed at the London meeting. These two meetings have been extremely useful and relevant to the discharge of judicial functions.

As indicated above, I have been a judge of the International Criminal Tribunal for Rwanda from 1995 to the present. Except for two years, May 1999 – June 2001, I have been a Presiding Judge of Trial Chamber II from 1995 to present.

I have been extensively involved in Pre-Trial and Trial Proceedings concerning many accused at the Tribunal over this period of time. I have also been involved in other activities related to the work of the Tribunal and particular to the judicial work of the Tribunal.

Examples of the cases tried and completed in which I was involved as a Judge and Presiding judge are:

- Kayeshima and Ruzindana case. This was a joint trial of two accused
- Kajelijeli case. This was a single case.
- Kamuhanda case. This was a single case.
- Recently Butare case. This was a joint trial case of six accused and the biggest case at the Tribunal in terms of the number of accused so far.

## CURRICULUM VITAE

**Hon. (Ms) Shiranee Tilakawardane**
**Justice of the Supreme Court of Sri Lanka**

51, Gemunu Mawatha,
Rajagiriya.
Sri Lanka.
Phone: +94 777 366 730
Fax : + 94 112 433466
jshiranee@yahoo.com

Supreme Court
Superior Courts Complex
Hulftsdorp
Colombo 12.
Sri Lanka
Tel: 94-1-2325760

### EDUCATION

- Advocates finals with honors and scholarship award in the intermediate examination.
- Diploma in Forensic Medicine and Science from the University of Colombo
- Fellowship in Human Rights, International Law and Intervention from Brandeis University, Massachusetts, U.S.A.
- Women and Security Executive Training Program,- Diploma
- Fellowship on women and peace from the John F. Kennedy School of Government, Harvard University, Massachusetts, U.S.A.
- Diploma in International Commercial Law and Banking Alumni of IDLO, Rome, Italy.
- Honorary Doctorate in Law from Williams College, Massachusetts, U.S.A. for international work on women and children's rights.
- American Chamber of Commerce –certificate of Merit on sexual harassment.
- Certificate for State guest on the Overseas Visitors Program organized by the American Center.
- Certificate from ITC/ILO on Forced Labour and Trafficking in Persons.
- Honorary Doctorate in Law from Smith College

### PROFESSIONAL

- First woman prosecutor at The Air Force Court Marshall, Sri Lanka.
- Appointed in 1978 as the first woman State Counsel to the Attorney General's Department in Sri Lanka.
- Appointed as the first woman High Court Judge in 1988, and 1st Woman Admiralty Court Judge in 1997.
- Appointed as the First woman Court of Appeal Judge in 1998.
- Appointed as the first Woman President of the Court of Appeal in 2003
- Appointed to the Supreme Court of Sri Lanka on 25th November 2003.
- Appointed as a Member of the Asia pacific Advisory Forum on Judicial Education on Equality Issues.
- Faculty member faculty Development Workshop.23rd to 25th August 2002
- Sri Lanka Judges Institute, Legal and judicial Reform Project, the University of Queensland.
- Director member for organization of Preliminary Meeting for a South Asian Judicial Colloquium Series.13th to 14th May 2000.
- Chairperson for Effective Implementation of the Law of the Medico Legal Society.
- Member of Regional Consultation Group on Trafficking 2010.

### SELECTED HONORS

- Certificate of Merit from the Chief Justice of Rhode Island for dedication to judicial process.
- Awarded a Human Rights award in 2001 from the University of Sri Lanka.
- Awarded the International Zonta award for Achievement and contribution to the field of law.
- Awarded medals for Presentations made at seminars, by the Supreme Court Judges of Canada, Bangladesh and India.
- Awarded the Sakshi of India, Women's International Award for contribution to Human rights and equality rights.

- Awarded the Shakti Award in recognition of contribution to contribution to equality rights and law by the Canadian International Development Agency on International Day 2000 by CIDA.
- Award from the Sri Lankan Child Rights protection Authority.
- Award from the Global Environment and disaster Management Law and Society, India

## INTERNATIONAL EXPERIENCE

- Served as an Attorney in the District Attorney's Office of Colorado in Fort Collins and Greeley in the U.S.A. working in consumer and narcotics division.
- Appointed as member of Board of University of Brandeis International Law and Ethics, U.S.A.
- Appointed to the Board of SIMORG of Pakistan as Board Member.
- Member of the Management committee of the Asia Pacific Region for Gender Training for the Judges of the region.
- Member of the International Panel of Jurists of the International Bureau for Child Rights, with UN affiliation.
- Working member for the Committee to draft the guidelines for child victim and child witness testimony to be submitted to the UN for possible adoption in the International Criminal Court.
- Member of Advisory Board of the South Asian Regional Program on Equity(SARI-Q) program to reduce trafficking and violence against women in south Asia
- Presentation at the Judicial Conference on Violence and access to Justice in Bangladesh on 1st January and 2nd January 2004.
- Advisory Committee member and international panelist for human Right s and Equality to the International Courts of judges Of UN.
- Presented the Asian Model for Gender Justice at the Conference organized by the Judicial Service of Ghana held in Accra, Ghana, November 2008.
- Member of the Judicial Colloquium on the Domestic Application of International Human Rights Norms, Bangalore session on domestic violence.
- Chaired the International deliberations of Judges on Child Rights held in Sri Lanka organized by the Bureau of Children's Rights.
- Facilitator at the session on "Through a Women's Lens " at the conference "Judicial Gender Equality Education and Human Rights –Broadening the spectrum" held in Nepal in 2001.
- Drafted the guidelines for the Child Victim and Child witness testimony - submitted to the UN in the proposed criminal court of justice.
- Represented Sri Lanka at the International Women Judges conference and presented a paper on Child Abuse and its impact on the Judicial System.
- Chairperson at workshop on "Gender Equality and Judges: A Regional Perspective" held at Lahore, Pakistan.
- Participation at the teacher Training and Pupils Training Advocacy Program organized by the Hong Kong Bar Association, October and November, 2008
- International Adjudication of Science Issues: First Working Conversation, Hawaii 30th June to 4th July 2001.
- International Conference McGill University–24th November 1999. Children's Rights in the New Millennium on "An International Coalition against Sexual Exploitation of Children.
- I.A.W.J. Conference in Ottawa May 21st to 24th 1998, "A new Vision for a non violent world-Justice for each Child."
- Resource person to the Asia pacific Advisory Forum for the program Gender for Judges, New Delhi, India
- The Convener for the Gender and Equality for Judges of the Asia Pacific Region an International Conference in 2000 held in Sri Lanka.
- Member of resource team of Sakshi of India for Gender workshops for the Judiciary, presenting papers and doing workshops and panel discussions with the Judges of India and Pakistan.
- Chairperson of the Committee on Reforms to the Juvenile Justice Laws of Sri lanka-2009.
- Children Rights Reforms Committee 2009 by the
- Member of the Regional Consultative Committee on Trafficking 2009 -10.

## GUEST SPEAKER ENGAGEMENTS

- Chief Guest at the Conference organized by MAS Holding, November 29th 2010. – "Empowered Woman of the Year Awards."
- Participant of the regional development meeting on SAARC Convention held in Dhaka, October 12th 2010. – "Preventing and combating trafficking in Women and Children for prostitution."
- Guest speaker at the workshop for Judges organized by the North Western Provincial Environmental Authority in collaboration with the Judges Training Institute and the Judicial Service Commission, June 05th to 06th 2009.
- Speaker at the Conference organized by the APIIT Law College, 2010. – "Human Rights and Equality."
- Guest speaker at the Conference organized by USAID, 2010. – "Domestic Violence"
- Speaker at the American Jewish Congress on "The Role of the Courts in Ending Violence Against Women", June 2009.
- Speaker at the Conference organized by the Centre for Family Services, Sri Lanka, on their 15th Anniversary Celebrations, December, 2008.
- Speaker at the Sri Lanka Judges' Conference December 2008.
- Speaker at the Discussion on 'Medico-Legal Help for Women in Need' organized by the Zonta Club 11 of Colombo, December 2008.
- Speaker at the Junior National Law Conference, November 2008.
- Speaker at the National Law Conference, October 2008.
- Speaker at the Inauguration Ceremony of the Annual Academic sessions of the College of the Forensic Pathologists of Sri Lanka, October 2008
- Key speaker on Domestic violence in Workshop for 81 District Judges held at Karachchi. Judicial conference in Pakistan on equality and human rights.
- Key note speaker on Seminar on "Protecting Children in the Computer Age"1st August 1998, Colombo.
- Key note speaker at workshop on Victims of Child Abuse and Legal Protection on 19th to 20th September 1998.
- Guest speaker at Defense for Children International –Sri Lanka. "Coping with the Reality of the Systems of Juvenile Justice"
- Keynote Speaker at the 10th Kanchana Abhayapala Memorial Lecture 30th August 1999. On "Coping with the Crime Wave: What can the Law do?"
- Plenary speaker at sessions of the Annual Scientific Sessions on the Jurisprudence of Equality.
- The Kanchana Abeywardane Memorial Speech on Crime and Violence and how to overcome it.

## LOCAL LEADERSHIP

- President of United Nations Association of Sri Lanka
- Vice President of the Medico-Legal Society of Sri Lanka
- president of the Sri Lanka Cancer Society.
- Committee member of the National Christian Council of Sri Lanka
- Constitutional Council Member of the Diocesan Council
- Member on the Governing Council of the St Andrews Home for the Elders.
- Member of the Governors Board for Bishops College.
- Ex Vicars Warden for St Luke's Church, Borella and member of the transfer Board and Diocesan Council member for the Anglican church..
- Training 37 schools on gender sensitivity and equality issues.
- Convener of Workshop on Equality and Women's Rights with Media persons in Sri Lanka.
- Chairperson and co-ordinator for the Gender Workshops with the High Court Judges of Sri Lanka under the auspices of the Institute of Judges and under the Reforms project of The World Bank.
- Chairperson and co-ordinator for workshops on Child rights for Judicial officers under the auspices of UNICEF

- Member of the Board of the Governing Council of Legal Education, Law College

## OTHER ENGAGEMENTS

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- Guest of honour in 11th International Conference of Chief Justices of the World, held in New Delhi, India, December 8th to 14th 2010. - " Enforceable World Law is the need of the hour to safeguard the future of world's two billion children and generations yet to be born."
- Speaker at Inaugural conference of the Avon Global Center for Women and Justice held at Cornell Law School in Ithaca, New York, March 11th to 13th 2010 - "Gender-Based Violence and Access to Justice in Conflict and Post-Conflict Areas."
- Participant member "Forced labour and trafficking in persons: international instruments and practical tools for judges and other enforcement institutions (ITC/UNICRI joint activity)" - Turin, 16th to 20th Nov. 2009.
- Speaker at Odhikar conference held at the Brac Centre, Dhaka, August 8th to 9th 2009 - "Women Human Rights Defenders."
- Speaker at International Association of Women Judges (IAWJ) Conference, held in Washington, D.C., June 14th to 16th 2009. – "Gender & Justice: an International Inquiry."
- The Gender Justice Conference in Accra held on 19th to 21st November 2008, participant at "Module for Gender sensitization for Judges".
- Paper presented on Advocacy and Gender Impediments and Human Rights and equality- At the First National Meeting of the Junior bar of Sri Lanka
- Lecturer at the protocol meeting of judges on "law, social control and Justice for women" for the Asia Pacific Region on Human Rights and Equality.
- Seminar and Workshops on gender Training and sensitivity with the Government Police Force.
- Workshop on the Rights of Women with the Anglican Clergy of Sri Lanka.
- Presentations at the International Bureau of Child Rights.
- Presentation of a paper on child witness at the meeting of Judges organized by the Child Protection Authority.
- Resource person for National Child Protection Authority on Education of Provinces on Child Rights
- Child Abuse workshop and programs with all the provinces in Sri Lanka.
- Guest lecturer for Asia Pacific regional National Environmental Group
- Resource person for the Sri Lanka Foundation Institute on Equality and Child Rights.
- Resource Person of the National Committee of Women In Sri Lanka , Ministry of Women's Affairs on Equality and Child Rights
- Resource person at the Child Rights Protection Authority of Sri Lanka.
- Paper on Child Pornography organized by the Sri Lanka Foundation Institute.
- Child witness sensitivity – Court Intervention –Judicial Association of Sri Lanka.
- Resource Person and Organizer of the Workshop on the elimination of Gender Based Violence for Magistrates, Judicial Medical Officers and Police Officers held in September, October
- School- Bishops College, - Special Award for Best Results for O L results, and prizes in Mathematics, Class, Needlework and Home science etc.
- Resource Person at the Training Program of State counsels, Police, Immigration and SLBFF Officials in Laws on Counter Trafficking, August 2008.
- Seminar on Pornography arranged by National Child Protection Authority.-29th January 2000. on "Implementing the Law Relating to Pornography within Court System".
- Seminar for Judicial Officers on "A Child Friendly Court Procedure"-08th July 2000
- National Child Protection Authority in Collaboration with Judges Institute.
- British Lanka Law Week January 2002; Faculty of Law, University of Colombo.
- International Conference on "Women, Peace Building and Constitution Making" 2nd –5th May 2002 – International Centre for Ethnic Studies.
- Seminar on "Access to justice" 14th-17th November 2003 Mumbai\India presentation on Human rights and Equality.

I certify above as correct information.............................................

# CANDIDATES NOMINATED AFTER THE DEADLINE

# EUROPEAN CURRICULUM VITAE FORMAT

| | |
|---|---|
| **JOB REFERENCE** | **Judge of Appellate court in Belgrade** |

**PERSONAL INFORMATION**

| | |
|---|---|
| Name | **[ SURNAME, other name(s) ]**<br>Tatjana Vukovic |
| Address | **[ House number, street name, postcode, city, country ]**<br>4, Milana Raspopovica st.11000 Belgrade, Serbia |
| Telephone | **+381 11 3082-548, +381 63 651 785** |
| Fax | **+381 11 3062-789** |
| E-mail | **tvukovic@bg.vi.sud.rs** |

| | |
|---|---|
| Nationality at birth | Serbian |
| Present nationality | Serbian |

| | |
|---|---|
| Date of birth [ Day, month, year ] | 4 June 1959 |
| Place of birth | BELGRADE, SERBIA |

| | | |
|---|---|---|
| Sex | Male ☐ | Female ☒ |

| | | | | | |
|---|---|---|---|---|---|
| Marital status | Single ☐ | Married ☐ | Widowed ☐ | Divorced ☒ | Separated ☐ |

| | | | | | |
|---|---|---|---|---|---|
| **Dependents** | | | | | |
| Name | Sandra Vukovic | | | | |
| Date of birth [ Day, month, year ] | 28.9.1987 | | | | |
| Relationship | daughter | recently employed | | | |

**WORK EXPERIENCE**

[ Add separate entries for each relevant post occupied, starting with the most recent. ]

| | |
|---|---|
| • Dates (from – to) | JANUARY 2010 - SEPTEMBER 2011 |
| • Name and address of employer | Appellate Court in Belgrade, 8 Nemanjina St, Belgrade |
| • Type of business or sector | Judge in the War Crimes Department of the Higher Court in Belgrade (where conveyed from the Appellate Court for purposes of finalizing of pending trials) |
| • Occupation or position held | Head of the War Crimes Department, Higher Court in Belgrade |
| • Main activities and responsibilities | Presiding in main hearings and trials; presiding in extra procedural court bench sessions; educational activities and training judicial assistants; reviewing and forming court practice |

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|---|---|
| Page 1 - Curriculum vitae of<br>[ SURNAME, other name(s) ] | |

| | |
|---|---|
| • Dates (from – to) | 19 JULY 2000 – 31 DECEMBER 2009 |
| • Name and address of employer | District Court in Belgrade, 17a Savska St, Belgrade |
| • Type of business or sector | 19 July 2000 – August 2001 Judge in First Instance Trials Department Criminal department; August 2001 – March 2003 Judge in Second Instance Trials Department Criminal department; March 2003 – August 2005 President of the Extra procedural Judges Panel; October 2003 – December 2009 Judge in War Crimes Department |
| • Occupation or position held | Judge/Panel President in abovementioned Court Departments |
| • Main activities and responsibilities | Presiding in main hearings and trials; presiding in extra procedural court bench sessions; educational activities and training judicial assistants; reviewing and forming court practice |

| | |
|---|---|
| • Dates (from – to) | 1 JUNE 1994 – 18 JULY 2000 |
| • Name and address of employer | Second Municipal Court in Belgrade, 17a Savska Street, Belgrade |
| • Type of business or sector | Judge in Criminal Department/ President of Judges Panel |
| • Occupation or position held | Head of Criminal Department of the Second Municipal Court in Belgrade |
| • Main activities and responsibilities | Presiding in main hearings and trials; participating and presiding in extra procedural court bench sessions; educational activities and training judicial assistants; reviewing and forming court practice |

| | |
|---|---|
| • Dates (from – to) | 1 NOVEMBER 1993 – 31 MAY 1994 |
| • Name and address of employer | Credibel Bank, 6 Terazije St., Belgrade |
| • Type of business or sector | Legal Advisor |
| • Occupation or position held | Legal Advisor |
| • Main activities and responsibilities | Representing the Bank in court proceedings |

| | |
|---|---|
| • Dates (from – to) | 2 DECEMBER 1991 – 31 OCTOBER 1993 |
| • Name and address of employer | Second Municipal Court in Belgrade, 17a Savska Street, Belgrade |
| • Type of business or sector | Trainee / Judicial Assistant |
| • Occupation or position held | Trainee / Judicial Assistant |
| • Main activities and responsibilities | Writing verdicts in Civil Law Department, Criminal Law Department and Non-litigious Proceeding Department.; conducting investigations |

## EDUCATION AND TRAINING

( Add separate entries for each relevant course you have completed, starting with the most recent. )

| | |
|---|---|
| • Dates (from – to) | 19 - 20 November 2009 |

| | |
|---|---|
| • Name and type of organization providing education and training | The DOMAC Project (research program funded under the Seventh Framework Programme for EU Research) |
| • Principal subjects/occupational skills covered | Prosecutions and Sentencing in the Western Balkans |
| • Title of qualification awarded | / |
| • Level in national classification (if appropriate) | / |

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|---|---|
| • Dates (from – to) | June 2008, Vienna – Lyon |
| • Name and type of organization providing education and training | United Nations – Office on Drugs and Crime |
| • Principal subjects/occupational skills covered | Terrorism Prevention Branch – Specialized Substantive Training Study Tour for Serbian Judges |
| • Title of qualification awarded | / |
| • Level in national classification (if appropriate) | / |

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|---|---|
| • Dates (from – to) | 24 – 26 October 2007 |
| • Name and type of organization providing education and training | Faculty of Law, University in Belgrade |
| • Principal subjects/occupational skills covered | Statement Analysis for Judges |
| • Title of qualification awarded | / |
| • Level in national classification (if appropriate) | / |

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|---|---|
| • Dates (from – to) | July 2007 |
| • Name and type of organization providing education and training | OSCE |
| • Principal subjects/occupational skills covered | The Austrian Judicial System |
| • Title of qualification awarded | / |
| • Level in national classification (if appropriate) | / |

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|---|---|
| • Dates (from – to) | 23 May 2007 |
| • Name and type of organization providing education and training | European Commission – Directorate-General Enlargement |
| • Principal subjects/occupational skills covered | Lessons Learned of the Fifth Enlargement |
| • Title of qualification awarded | / |
| • Level in national classification (if appropriate) | / |

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|---|---|
| • Dates (from – to) | 1March 1993 |
| • Name and type of organization providing education and training | Ministry of Justice, Republic of Serbia |
| • Principal subjects/occupational skills covered | Bar Exam for practicing lawyers |
| • Title of qualification awarded | Bar Exam for practicing lawyers |

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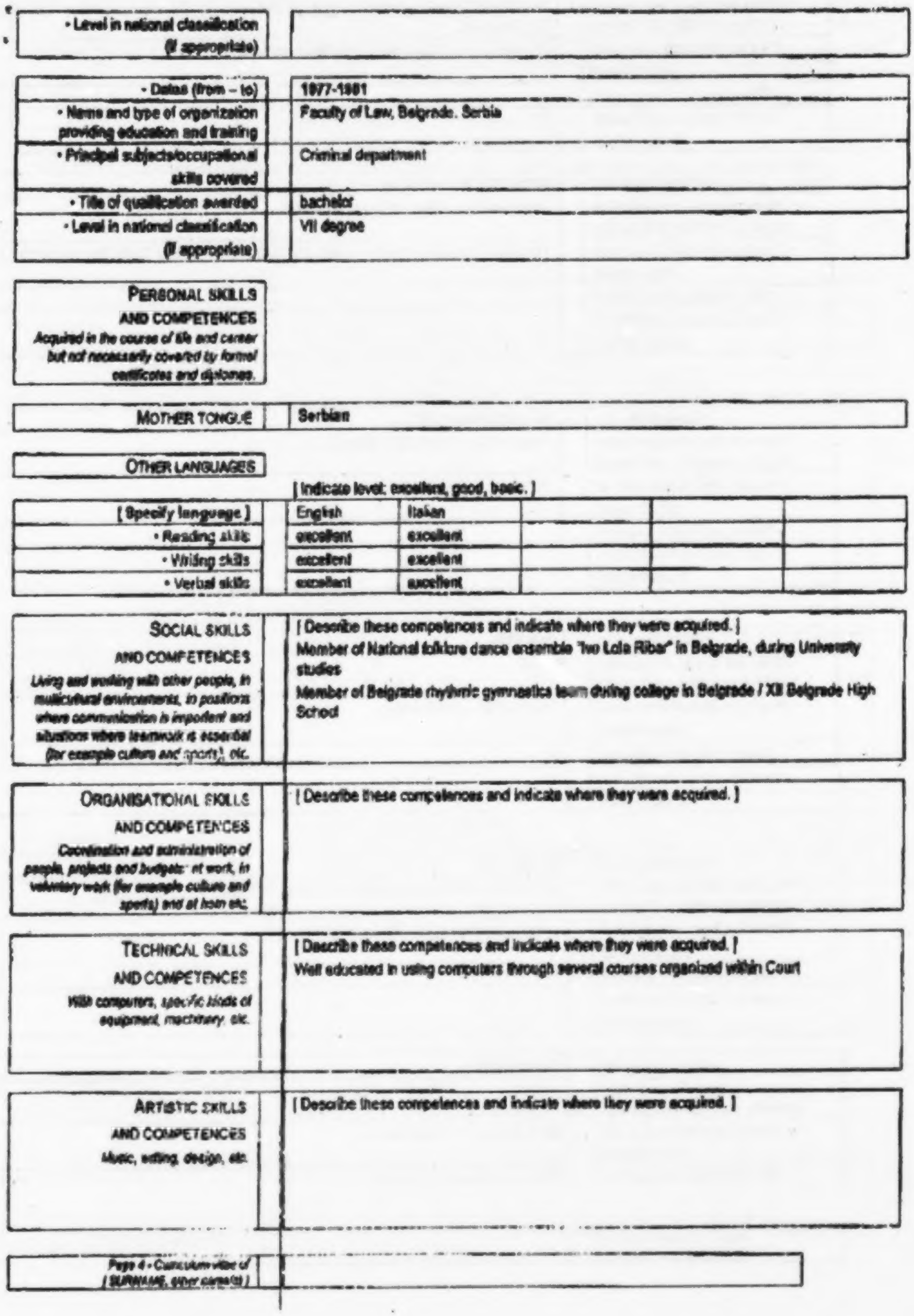
| Page 3 - Curriculum vitae of [SURNAME, other name(s)] | |



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| • Level in national classification (if appropriate) | |

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|---|---|
| • Dates (from – to) | 1977-1981 |
| • Name and type of organization providing education and training | Faculty of Law, Belgrade, Serbia |
| • Principal subjects/occupational skills covered | Criminal department |
| • Title of qualification awarded | bachelor |
| • Level in national classification (if appropriate) | VII degree |

PERSONAL SKILLS
AND COMPETENCES
*Acquired in the course of life and career but not necessarily covered by formal certificates and diplomas.*

| | |
|---|---|
| MOTHER TONGUE | Serbian |

OTHER LANGUAGES

[ Indicate level: excellent, good, basic. ]

| | | | | | |
|---|---|---|---|---|---|
| [ Specify language ] | English | Italian | | | |
| • Reading skills | excellent | excellent | | | |
| • Writing skills | excellent | excellent | | | |
| • Verbal skills | excellent | excellent | | | |

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|---|---|
| SOCIAL SKILLS AND COMPETENCES<br>*Living and working with other people, in multicultural environments, in positions where communication is important and situations where teamwork is essential (for example culture and sports), etc.* | [ Describe these competences and indicate where they were acquired. ]<br>Member of National folklore dance ensemble "Ivo Lola Ribar" in Belgrade, during University studies<br>Member of Belgrade rhythmic gymnastics team during college in Belgrade / XII Belgrade High School |
| ORGANISATIONAL SKILLS AND COMPETENCES<br>*Coordination and administration of people, projects and budgets; at work, in voluntary work (for example culture and sports) and at hom etc.* | [ Describe these competences and indicate where they were acquired. ] |
| TECHNICAL SKILLS AND COMPETENCES<br>*With computers, specific kinds of equipment, machinery, etc.* | [ Describe these competences and indicate where they were acquired. ]<br>Well educated in using computers through several courses organized within Court |
| ARTISTIC SKILLS AND COMPETENCES<br>*Music, writing, design, etc.* | [ Describe these competences and indicate where they were acquired. ] |

*Page 4 - Curriculum vitae of [ SURNAME, other name(s) ]*

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|---|---|
| **OTHER SKILLS AND COMPETENCES**<br>*Competences not mentioned above.* | [ Describe these competences and indicate where they were acquired. ] |

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| **DRIVING LICENCE(S)** | Yes |

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| **ADDITIONAL INFORMATION** | [ Include here any other information that may be relevant, for example contact persons, references, etc. ]<br>ICTY Judges (available through ICTY contact list):<br>Judge Fausto Pocar<br>Judge Alfons Ori<br>Judge Flavia Latanzi<br>Judge Patrick Robinson<br>Judge Carmel A. Agius<br>Deyan Mihov, ICTY Head of Office, Belgrade<br>Dimitrios Kypreos, OSCE Ambassador, Head of Mission<br>Sam G. Nazzaro, Former Resident Legal Advisor US Department of Justice, Criminal Division<br>Clint Williamson, Ambassador at Large for War Crimes<br>Judge Charles R. Simpson III, United States District Court |

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| Page 8 - Contributions sites of<br>( [illegible] ) | | |